

[15th March 1929]

II

MOTIONS ON THE BUDGET FOR 1929-30.

DEMAND V—REGISTRATION.

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Sir, I move on the recommendation of His Excellency the Governor—

'that Government be granted a sum not exceeding 28.97 lakhs for Registration—Demand V.'

* The hon. the PRESIDENT :—"The question is 'Government be granted a sum not exceeding 28.97 lakhs under Demand V—Registration'.

* Mr. S. ARPUDASWAMI UDAYAR :—"Sir, I move

'to reduce the allotment of Rs. 28,96,800 for Registration by Rs. 100.'

"Sir, I find according to the new communal Government Order Indian Christians and Anglo-Indians have been classed together and that only one Indian Christian has been found eligible for the selection grade Sub-Registrar's appointment. Sir, this is a novel departure for which I find no precedent. In the pre-Reform days my community had enjoyed a very large percentage of appointments. But now in these days of competition we have to reckon against great odds and so in moving this resolution I claim bare justice and nothing more. The report of the Joint Parliamentary Committee and that of the Southborough Committee recommended that our community should receive separate treatment and as a result five seats were allotted to us in this Council by Government. For this representation of our interests my community owes its indebtedness to Government."

Mr. S. SATYAMURTI :—"What is the benefit?"

* Mr. S. ARPUDASWAMI UDAYAR :—"The benefit of representation. But that is another question. (Laughter.) I want my community should be classed like others, as a separate community for purposes of appointments. In the pre-Reform days there was a rumour that special preferential treatment was to be given to the Anglo-Indians, whether that was so or not, I am not in a position to discuss at present. But I know that many Indian Christians who had European names adopted western dress and passed for Anglo-Indians. Then when the policy of Indianisation was adopted the tendency was to call one self an Indian. Such a classification will benefit neither Anglo-Indians nor Indian Christians.

11-30
a.m.

"It may not benefit people like myself who stick to Indian names such as Vedanayagam Pillai, Gnanuswami Mudaliyar and so on. They may be at a disadvantage, because they wear dhotis, long coats and turbans. They are neither fish, flesh, nor good red-herring. I think, Sir, there is no justification whatever for this very queer classification. Even according to the new rule, I do not see why only one gentleman was found fit for promotion to the selection grade appointment. If I remember right, his name is Mr. Vedanayagam Pillai. Sir, as regards initial appointments, I contend that my community should be treated as a separate and distinct community like Brahmans or Muhammadans; I stand only for bare justice and, on that principle, I request that we may be given the proportion to which we are entitled by reason of our numerical strength which is not altogether negligible and secondly, by reason of the fact that we claim a higher proportion of

15th March 1929] [Mr. S. Arpudaswami Udayar]

literacy and cost the Government very little. Nay, we are also helpful to Government in the promotion of education and other philanthropic activities. I may again repeat that we never ask for special treatment. In the order of rotation, my community comes fifth, i.e., Non-Brahmans, Muhammadans, Brahmans, and these Indian Christians and Anglo-Indians. Whatever principle the Government may introduce with regard to initial recruitment, there should be consistency, and uniformity in its application to all communities alike. When the time comes for promotion to selection grade appointments, I think, Sir, all these questions of particular proportion for each community must disappear and men who had already entered service and are looking forward to promotion must be dealt with fairly and with justice. Therefore, Sir, I contend for this principle that my community should, as hitherto, be treated as a separate community, should be helped forward fairly and justly in the matter of initial appointments and, especially, when the time comes for promotion to the selection grade appointments. Who is responsible for this classification, whether it is some mathematically minded person in the Secretariat or somebody with a sense of the ludicrous I do not know. I cannot understand why this abnormal and unusual classification has been resorted to."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, Sir, I have been listening to the grounds urged by the hon. Member and I may assure him that there is absolutely no mischief in regard to this matter. I may also assure him on this question of fact that among the selection grade appointments of sub-registrars, three appointments have been given to Indian Christians, but not one, as mentioned by the Mover. They are Messrs. Vedanayagam Pillai, Soans and Chandran. The only Anglo-Indian that has been taken is Mr. Kendall. So that one Anglo-Indian and three Indian Christians were taken.

"The reason why Anglo-Indians and Indian Christians are put together is that probably these are the two communities that follow the Christian faith. But comparing, as Mr. Arpudaswami Udayar put it, the fact that in this Council they have got a representation of five out of an elected strength of 109, he claims 5 per cent representation in the services also. He claims only 5 per cent, whereas on the other hand for these two communities under this communal Government Order two appointments would be reserved out of every 12, which means about 16 per cent. So that on the principle of proportion, I am sure Mr. Arpudaswami Udayar will have nothing to complain of. And of the four selections that have recently been made, three have gone to the Indian Christians and one to an Anglo-Indian. There is absolutely no idea of treating these two classes as belonging to the same community. They are two different communities, but because they follow the same religion, they are put together. There is therefore absolutely no mischief, and the fact that they are put together should not be construed as a single classification. I hope the hon. Member will take the assurance from me that Indian Christians will be treated with justice and fairness in appointments. I may also assure him that both in the matter of initial recruitment and promotion to the selection grade and higher appointments, this principle will be followed. I hope on this assurance the hon. Member will withdraw his motion."

The motion was put to the House and lost.

[15th March 1929]

* Mr. R. SRINIVASA AYYANGAR :—“ Mr. President, Sir, I beg to move
‘ that the allotment of Rs. 28,96,800 for Registration be reduced by Rs. 100.’

“ The object of this motion is to discuss the question of unpassed clerks in permanent employ prior to 1922, being exempted from departmental qualification and allowing them increment from 1922 onwards.

“ It is a matter of common knowledge that these unpassed men have been badly treated by the department and theirs is really a hard lot deserving sympathetic consideration at the hands of this House and at the hands of the hon. the Minister. I shall give an account of the history of these unfortunate men. In 1918 a notification was issued requiring that only passed clerks be appointed for posts on Rs. 20 and above. At that time discretion vested in the head of the department, and the Inspector-General of Registration could exempt men from educational qualification. And pursuant thereto, I understand that some unpassed clerks of the Registration Department were exempted by the Inspector-General and they were all confirmed. Later on, a new Government Order came into force by which a new scale of pay was fixed, namely, Rs. 35— $1\frac{1}{2}$ —50—1—60 and that Government Order came into force on 1st March 1921, with the result that some unpassed men who had been exempted from educational qualifications were allowed to start on Rs. 35. That was the state of affairs in March 1921. In December 1925, a low murmur of discontent was heard, because while some clerks who, in the new scale of pay, were drawing Rs. 38, all of a sudden another Government Order was issued cancelling the above and stating that heads of departments had no power of exemption, but that only the local Government had the power of exemption. What was the result? The result was that men who had been exempted previously so early as 1918 and were allowed to start on Rs. 35 a month on 1st March 1921 and who had run up to Rs. 38 in December 1925, were all reverted and were asked to start on Rs. 35 as if they had been appointed then only for the first time. And not only that, they were also asked to refund the difference, namely, Rs. 3 which they had been permitted to draw meanwhile. That came on them as a bolt from the blue. And then, agitation was set on foot, and later on in November 1926 the Government passed G.O. No. 949 which reads as follows: ‘ All unpassed men when once exempted by competent authority may be allowed the increment.’

“ That is about clerks who were allowed to suffer for the faults of the heads of departments. This has been misconstrued in this way as I shall presently show. Instead of giving retrospective effect to that Government Order, these people who notwithstanding the fact that they were confirmed so early as 1918 were treated as if they were confirmed only in 1925, and were allowed the scale of pay as and from the 1st March 1925 oblivious of the fact that at the time of their exemption they were rightly exempted, as the right of exemption at that time vested in the head of the department an authority then competent to exempt them. No subsequent order of the Government taking away the right of exemption from the head of the department could be construed to have had retrospective effect to the extent of operating as a detriment or handicap upon those who had been exempted and who had been allowed the benefit of this Government Order. Instead of viewing the Government Order in that light they should not have

15th March 1929]

[Mr. R. Srinivasa Ayyangar]

put another, and if I may say so, violent construction upon the Government Order and misconstrued it. Thus the Government went on committing mistakes. With what result? Certain men who entered service for the first time in 1923 or 1924 and who were confirmed in those years are now drawing a much higher pay than those who had been confirmed and who had been exempted as early as 1918. This disparity must disappear. This anomaly must cease to exist. And therefore, I appeal to the hon. the Minister to take into his sympathetic consideration the hard lot of these unfortunate men who ought not to be permitted to suffer for no fault of theirs. If they were to suffer for lack of educational qualification, the Government was to be blamed for their contradictory orders to which they were parties from March 1925 onwards. After all, the passing of this cut motion or the acceptance or recognition of the hardship which I on their behalf represent to this Council, is not likely to commit the Government to any large expenditure. Therefore it is up to the hon. Minister to take the case of these unpassed men into consideration and issue a general comprehensive Government Order which will satisfy all parties concerned and which will take away the hardship which has been inflicted upon them for no fault of theirs. With these few words I beg to move this motion."

* Mr. J. A. SALDANHA :—" Sir, I beg to second this motion. The rule that is now followed in the Registration Department, I think, is based upon orders issued in the Revenue Department. Things were going on very satisfactorily in the Registration Department when the Revenue Department issued orders undoing the promotions that were given by a Collector on the basis of an order, I think, which was passed in 1921. It was clear as daylight. On the basis of this, persons who had appointments on Rs. 35 were allowed to get incremental salaries as a matter of course. That was what was intended by the order of the Government. But I think suddenly the hon. the Revenue Member found that things were not carried out perhaps as intended by himself, and the order that had been issued, though quite fair and just, was subsequently reversed. Men who had already earned the increments, were told to revert to Rs. 35, and they were also ordered to refund the increments they had drawn. I do not think an order like this will be passed except by a most absolute and arbitrary Government. When a man is appointed to a certain post on an incremental scale he must automatically be allowed to draw the incremental salary, unless he is absolutely unfit to hold the appointment. No such rule can be laid down as 'unless he has exceptional qualifications.' That is against the principle on which the increments are based. But somehow or other the rule has been established by the Revenue Department, and men whose work was satisfactory were deprived of their incremental salaries. The order for refund was removed after constant agitation, but the injustice of stopping the incremental salary, unless they are men of special qualifications, still remains. I shall give an illustration of a typical case. A clerk was appointed in the department in 1918 after No. 58 of 1918 was issued which required passed clerks for posts on Rs. 20. The power of exemption was vested with the Inspector-General of Registration. At this time the notification of 1918 was not in force. After the issue of this notification a number of men were appointed. This particular clerk was confirmed under the Inspector-General's order. When the time-scale of pay, Rs. 35—50—60 at the rate of 1½ rupees a year was brought into effect in 1921, this clerk was drawing Rs. 35,

11-45
a.m.

[Mr. J. A. Saldanha]

[15th March 1929]

In 1925, the Inspector-General passed an order withholding his increments, at the instance of the Government in the reserved half. After that his pay was Rs. 35. Men who were already on Rs. 38 were reverted to Rs. 35. Subsequent to this, the G.O. No. 949 was passed to the effect that all unpassed men when once exempted by the authorities might be allowed increments. In view of this order, this clerk should be allowed to draw his increment. He is stagnating on Rs. 35. He is doing as much work as the others and as satisfactorily too. I do not see any reason why this restriction should be placed on him. I hope this injustice will be removed soon. I have been raising this question year after year, but all my cries have fallen on deaf ears. I hope at least now, the Minister for Excise who is in charge of this department will redress this wrong, especially as the elections are nearing. (Laughter and hear, hear.) There are several unpassed men who are badly affected by this order. Even if this is an election cry, it is a popular cry. The very fact that we raise this cry shows that we are popular. Why should we not use it for election purposes? Because it is the echo of the voice of the people. Month after month I put questions on this subject and at last I gave it up in despair. This appeal came from a man who is outside my constituency. He seems to think that I can raise my powerful voice in this House. (Loud laughter.) I have given instance of a case which is typical of several others. So, I hope the hon. the Minister in charge of Registration would remove this glaring injustice done to these unfortunate men."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—"Mr. President, I have been listening to the speeches of the hon. the Mover and the Seconder of this cut motion, and in reply I may say this. Orders were passed as regards the employment of and the giving of increments to these unpassed clerks, and discretion was given to the heads of departments to exempt such of them as they may think fit. The Inspector-General of Registration, like the heads of other departments recommended for exemption a large number of people and on those recommendations they were all exempted. The Inspector-General, so far as his department is concerned, reported that all the clerks in that department except 200 had been exempted. He stated that there were 200 unpassed clerks now, many of them of ten years' service whose work and conduct were not satisfactory and that they were not exempted. That was what he said some time ago. Subsequently, a few days back, he asked whether he could reconsider the cases of these 200 people. The Judicial Department has recommended to the Government the cases of some 150 people for reconsideration. The Government are considering the question whether a wholesale consideration of such cases from all the departments might or might not be taken up in the Public Department, because the Government Order applies to all the other departments also. The matter is being considered and anything that can be done will be done in the Public Department which will apply to all the departments."

The motion was put and lost.

* Mr. MAHMUD SCHAMNAD SAHIB :—"Sir, my motion is—

'to reduce the allotment of Rs. 80,300 for superintendence by Rs. 100.'

"It is moved for bringing to the notice of the Government the injustice of levying the high attendance fees of Rs. 15 from poor invalids and poor gosha women and discussing the necessity for giving promotion to registration office clerks.

15th March 1929]

[Mr. Mahmud Schamnad Sahib]

"Sir, a similar motion was brought forward last year by the hon. Mr. Krishnan Nayar and discussed and passed in this House. I have several times moved similar motions and also brought this matter to the notice of the Government by several interpellations. The attendance fee was formerly Rs. 10. At a time of great stress and financial stringency, this fee was raised to Rs. 20, of course on the understanding that when better times came it would be reduced to the former level. It was during the ministership of my hon. Friend Mr. Ranganatha Mudaliyar that the fee was reduced—I thank him for that—by Rs. 5. But even then it is too much. This falls heavily on poor gosha ladies and the poor sick people and also on Hindu widows, Brahman and others, who cannot go to the registration offices in the first year of their husbands' death. They have to pay for the attendance of the sub-registrars at their houses this heavy fee of Rs. 15 now. The well-to-do do not feel the hardship because they give general power of attorney to register their documents. I have got a power of attorney holder and my wife also had one. Thus it is only the poor people who are affected. By reducing the fee to the old level, the loss to Government will not be much. As will be seen from the administration report for 1927-28, the total income from the Registration department is 41.18 lakhs and expenditure is 25.20 lakhs only. So there is a large surplus. This is a service department and not a commercial department. So I think it is very necessary to reduce this fee, at least to the former level.

"As to the other question, the fate of the clerks in the department, there are several able and efficient clerks rotting as clerks, and they are not given any opportunity of rising higher."

* The hon. the PRESIDENT :—"I am afraid the hon. Member is not in order in raising that question. The question of clerks was disposed of already."

MR. ABDUL HAMEED KHAN :—"Sir, I second the cut motion moved by my hon. Friend Mr. Schamnad for these reasons. It is really a hardship to many people, especially the women of the Muslim community. On account of the purdah they find very many difficulties before they get their things done, especially when they do not have aged women in their family who can help them.

"I have known, Sir, of cases where these poor gosha ladies on account of the fact that they have to pay these attendance charges have not been able to derive any benefit from their property and have borne the loss accruing therefrom. It is very often the case when these gosha ladies inherit property to find it a curse instead of a blessing for it is not a help to them but a source of trouble. The moment they become property-holders they have to pay these various taxes and these taxes really stand in their way. They have to pay one tax or another. The first thing that they have to pay is the registration fee for if they do not get their properties registered they run the risk of losing them.

"Then again there is another class of people who feel this fee a very heavy burden. They are the invalids. Very often these invalids also do not have sufficient money to pay the registration fee. When there is such a heavy fee to be paid, it is very often the case that they prefer to leave matters stand as they are, and suffer.

[Mr. Abdul Hameed Khan]

[15th March 1929]

"I do not understand, Sir, why the Government should tax the people for the services which they have to render to the people. I am unable to understand why this view is being taken by the Government. This fee is more or less regarded on a commercial basis. Perhaps they think that in taxing the people of this country they should tax them also for the services which they should render to the people in such a matter as this. And then, Sir, we must remember, in considering questions of this nature, that when we levy taxes on the people, we must also consider what are the class of people who should be exempted from a taxation of this nature. By this, I do not desire it to mean that this people should be exempted from taxation. No doubt they must pay for the services. But what I object to is the exorbitant amount that is levied.

"I am glad to know that the fee was reduced from Rs. 20 to Rs. 15, but it is very much more than what it ought to be. I hope that the fee will be reduced to a nominal sum and I think that the fee should not be more than Rs. 5."

* Mr. BASHEER AHMED SAYEED :—"In speaking on this motion, I do not desire to cover the ground already covered by my two Friends. I only want to say, Sir, that the Government ought to be more considerate towards a community that is growing poorer and poorer from day to day, both from the economic as well as from the educational points of view. In spite of the fact that these subjects have been transferred and left in charge of the Ministers, I may boldly say, without any fear of contradiction, that nothing has been done to relieve the distress of these backward people. The economic condition of the Muslims of this Presidency is well known. As a matter of fact, the people who have to do such transactions as are under discussion are mostly the poor among the communities who for the sake of getting money and to keep them from starvation have to dispose of their patrimony, and it is always the vendors who have to go and register the deed in the Registration office. The purchasers exact the amount from the vendors, i.e., the registration charges in proportion of half to half (and in some cases it is even more). The fee of Rs. 15 for attendance of the Registration officer which these poor gosha ladies have to pay is a greater burden than the fees they pay in the shape of legal charges for registration and execution of documents. Rupees 15 is a very big sum, Sir, and after all the Government does not stand to lose much if that amount is going to be reduced, because the gosha women are very few in this Presidency and so also the invalids who have to register deeds of transfer; and the amount of income that will be lost by the Government will be really very negligible. I would, therefore, urge that the Government would be pleased, considering the economic position of the community, to reduce the amount to at least Rs. 5 if not to any lesser amount.

"Further, Sir, in many cases the Registrars do not have to spend so much as Rs. 15 or Rs. 20 to go to the house of a gosha woman, for the Registration offices in most cases always happen to be quite near. It is very rarely we find the offices situated at a distance of more than eight or ten miles. In cities like Madras and other places the Registration offices are very near and the Registrar need not expend much in going to the house of gosha women. The other day for a small document, i.e., the attestation of a power-of-attorney (I leave alone the sales, mortgages and other documents), the

15th March 1929]

[Mr. Basheer Ahmed Sayeed]

Registrar charged the same fee for his attendance for attesting this power-of-attorney. I say, Sir, this is a great exaction from the poor Muslim community and on this ground also I request the Government to reduce the fee for attendance to the house of gosha women and invalids to a nominal amount."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, Sir, this fee for private attendance at residences was fixed at Rs. 10, I think, in the year 1865 and in the year 1915 it was increased from Rs. 10 to Rs. 20. Then there was some agitation that this fee was too high and as late as 1927 December this fee was reduced to Rs. 15 from Rs. 20 and it was said that the Government would consider the matter of further reduction after judging the result of this reduction as to whether there was any increased work thrown on the department on account of the reduction from Rs. 20 to Rs. 15. This system has hardly been working for a year and we have asked the Inspector-General of Registration to send us a report on the working of this system. As soon as his report is received the question of further reduction will be considered. (Mr. Basheer Ahmed: 'We refer to cases of poor gosha ladies.') The fee is fixed at Rs. 15 but I wish to point out to the hon. Members the existence of the rule which requires the Registrars to exercise their discretion in the matter of the levy of this fee (Mr. K. V. R. Swami: 'The discretion is never exercised') and they are permitted to remit the fees if the party is poor and cannot pay. (Several voices: 'The discretion is not exercised.') If hon. Members will bring to the notice of the Government cases where the officers have not been willing to remit the fee even in deserving cases, the matter will be enquired into. As it is there is a rule by which discretion is given to the Registrars to remit the fee for private attendance.

"I desire also to inform this House that as soon as the report from the Inspector-General of Registration is received regarding this subject, this question will again be considered by the Government."

* Mr. C. RAMASOMAYAJULU :—" After hearing the speech of the hon. the Minister, I feel that we should press the motion for a division. Sir, the hon. the Minister says that discretion is given to the Registrars to remit the fee in deserving cases and for a fact we know that in no case has such a discretion been used and the fee remitted. This is not a question which hits hard the gosha ladies only but it is a question which affects all people who are in extreme circumstances, who have to execute documents such as wills, etc., and who are not in a position to pay for the attendance of the Registrar. This class include the invalid and the sick. All these people deserve a remission. What is the use of giving discretion to the registration officers? Hon. Members know to their cost how this discretion is exercised. I desire to inform the Government that this reduction is long overdue. It is no use saying 'We have reduced the fee from Rs. 20 to Rs. 15.' I say it is absolutely no use to say that. Once the fee was Rs. 10. That itself was very high. The Government is under the impression that only the rich people are affected by the levy of this fee but I assert that the rich people are not at all affected by this fee but that it is the poor, the really poor, who are affected. So, I request the Government to reduce the fee to at least Rs. 10.

"I request my hon. Friend Mr. Schamnad not to withdraw the motion."

* Mr. J. A. SALDANHA :—" I have only to make one clear statement and that is this. It is all very well to talk about the rule giving discretion to officers.

[Mr. J. A. Saldanha]

[15th March 1929]

But what are the real facts? The facts are that the party has to pay the fees first and then apply for a remission. This means that he will have to employ a vakil for whom he will have to pay another big fee and so the so-called remission is more a mockery and is not at all effective. So I support the motion for the reduction of the attendance fee."

* The hon. the PRESIDENT:—"The motion is to 'reduce the allotment of Rs. 80,300 for Superintendence by Rs. 100'."

The motion was put to the House and declared lost.

A poll was demanded and the House divided thus:—

Ayes.

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| 1. Mr. P. C. Venkatapati Raju. | 15. Mr. A. Parasurama Rao. |
| 2. " R. Srinivasa Ayyangar. | 16. " C. Ramasomayajulu. |
| 3. " S. Satyamurti. | 17. " P. Bhaktavatsulu Nayudu. |
| 4. " C. V. Venkataramana Ayyangar. | 18. Stiman Biswanath Das Mahasayo. |
| 5. " J. A. Saldanha. | 19. Mr. A. Kaleswara Rao. |
| 6. " G. Harisarvottama Rao. | 20. " K. Uppi Sahib Bahadur. |
| 7. Basheer Ahmed Sayeed Sahib Bahadur. | 21. " C. N. Muthuranga Mudaliyar. |
| 8. Mr. C. S. Govindaraja Mudaliyar. | 22. " K. V. Krishnaswami Nayakar. |
| 9. Abdul Hameed Khan Sahib Bahadur. | 23. " C. Venkatarangam Nayudu. |
| 10. Mr. K. V. R. Swami. | 24. Diwan Bahadur R. N. Arogyaswami |
| 11. " D. Narayana Raju. | Mudaliyar. |
| 12. " K. R. Karant. | 25. Mr. K. P. Raman Menon. |
| 13. " K. Madhavan Nayar. | 26. " R. Nagan Gowda. |
| 14. " P. Anjaneyulu. | 27. Mahmud Shamnad Sahib Bahadur. |

Noes.

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| 1. The hon. Sir Norman Marjoribanks. | 26. Subadar-Major S. A. Nanjappah Bahadur. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 27. Mr. Al. A. R. Narayana Chettiyar. |
| 3. " Mr. T. E. Moir. | 28. Rao Bahadur O. M. Narayanan Nambudripad. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 29. Mr. T. M. Narayanaswami Pillai. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 30. " K. Krishnan. |
| 6. " Mr. S. Muthiah Mudaliyar. | 31. " N. Siva Raj. |
| 7. " Dr P. Subbarayan. | 32. Rao Sahib L. C. Guruswami. |
| 8. Mr. Hilton Brown. | 33. Mr. V. I. Muniswami Pillai. |
| 9. " H. A. Watson. | 34. " W. P. A. Soundara Pandia Nadar. |
| 10. " C. A. Souter. | 35. " S. Subrahmanya Moopanmar. |
| 11. " S. H. Slater. | 36. " Daniel Thomas. |
| 12. " A. McG. C. Tampoe. | 37. Mr. S. Venkiah. |
| 13. " C. W. E. Cotton. | 38. Rao Sahib M. Hampayya. |
| 14. " V. Ch. John. | 39. Mr F. E. James. |
| 15. " M. A. Manikkavelu Nayakar. | 40. " S. N. Dorai Raja. |
| 16. Syed Tajudin Sahib Bahadur. | 41. Zamindar of Kallikota. |
| 17. Mr. H. B. Ari Gowder. | 42. Mr. K. Ramachandra Padayachi. |
| 18. " A. B. Shetty. | 43. " U. Ramaswami Ayyar. |
| 19. " J. Bheemayya. | 44. Swami A. S. Sahajanandam. |
| 20. " J. A. Davis. | 45. Rao Bahadur Sir A. P. Patro. |
| 21. " R. Foulkes. | 46. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 22. " P. J. Gnanavaram Pillai. | 47. Mr. T. K. Chidambaranatha Mudaliyar. |
| 23. " Muppil Nayar of Kavalappara. | 48. Rao Bahadur S. Ellappa Chettiyar. |
| 24. Zamindar of Singampatti. | 49. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 25. Mr. J. Kuppuswami. | 50. Rao Bahadur K. Sitarama Reddi. |

Neutral.

1. Dr. (Mrs.) S. Muthulakshmi Reddi.
2. Diwan Bahadur P. Kesava Pillai.
3. Mr. V. Ramjee Rao.

4. Mr. A. Ranganatha Mudaliyar.
5. Rao Bahadur B. Muniswami Nayudu.

Ayes 27. Noes 50. Neutral 5.

The motion was lost.

15th March 1929]

* The hon. the PRESIDENT :—" I will now put the demand to the vote of the House. 12-15. p.m.

"The question is that the Government be granted a sum not exceeding 28·97 lakhs under demand V—Registration."

The Demand was put and carried and the grant made.

DEMAND VI—IRRIGATION.

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, on the recommendation of His Excellency the Governor I move—

'that Government be granted a sum not exceeding 101·92 lakhs under Demand VI—Irrigation.'"

* Mr. A. PARASURAMA RAO :—" Sir, I move the cut motion that stands in my name, viz.—

'to reduce the allotment of Rs. 39,97,400 for Irrigation, Navigation, etc., by Rs. 100 (for the purposes of urging the necessity for the introduction of a satisfactory Irrigation Bill).'"

"Mr. President, this is a question which has been before the House for many years. Irrigation law must be placed on a statutory basis is a thing which has been admitted on all hands. I believe there are no two opinions on that issue. The only difference is with regard to a minor matter which I think in these days of democracy should be decided in favour of the people. The matter referred to by me is the power of fixing the rate of assessment. In no country at no time the Government monopolized this power and it is but legitimate that the people should have it. We have been a subject nation all along and that is why this power which is inherent in the people has to be begged for by us. We are a subject nation and therefore we have to beg of others to give us this power.

"Sir, I am sure there is no difference of opinion with regard to the necessity, the absolute necessity for a law of this kind. A Bill had been introduced sometime ago and I am told that it cost the appointment of a responsible officer of the Treasury bench for the reason that it was not acceptable to the Government. Under these circumstances it requires no effort on my part and nobody need labour the point to satisfy the House about the necessity for a Bill of that kind. All the subjects that have a bearing on this question have been discussed threadbare already except one single phase of it. On this occasion I wish to urge upon the consideration of this hon. House that one point.

"Sir, when I was examined as a witness by the Townshend Committee recently, I urged upon the consideration of that committee the necessity for forming co-operative irrigation committees and the difficulty that was put forward by them was the absence of an Irrigation law. It was pointed out to me that until an Irrigation law was passed there was no possibility of satisfactorily tackling the question. I found myself in a very awkward position as I realized the difficulty of forming a co-operative irrigation society without a statutory law regarding irrigation. Sir, when a co-operative irrigation committee is formed it is formed only with a handful of members as required under the law and there is no possibility under the present system to recover any assessment or tax or water-rate from those persons who are benefited by such an irrigation system but are not members of such committee. Unless

[Mr. A. Parasurama Rao] [15th March 1929]

that is provided for under a statute it would not be possible to have any sort of co-operative irrigation committees. That is one important factor to be taken note of seeing that the administration so far as irrigation is concerned is so very indifferently carried on by the Government.

"So far as minor irrigation and irrigation with regard to channel and kudimaramat are concerned, absolutely no attention is paid to them. I charge the Government with perfect callousness and indifference in regard to these things. They should pay more attention to them. With regard to co-operative irrigation committees, I repeat that a satisfactory Bill ought to be introduced to enable small holders of lands to tax owners of lands under particular sources. Until that is done there is no chance for the people to help themselves by forming associations of this kind. With that view I would urge upon the consideration of the Government the absolute necessity for an Irrigation law.

"There are other phases of the question to be drawn attention to, but I would leave it to other hon. Members who wish to speak on them to do so."

* Mr. P. ANJANEYULU :—"Mr. President, Sir, as far as the necessity for an Irrigation Bill is concerned, it requires no arguments or persuasion from any hon. Member of this House. The Government themselves undertook to bring forward a Bill of some sort and they did so. It was duly passed by this hon. House, but the Central Government, I understand, came in its way of becoming law. Therefore, the grievances that exist on account of the absence of an Irrigation law is common to the Government as well as to the Opposition. Sir, the Government always charges us by saying that we are not at all co-operating with them. But here is a Bill which is of supreme importance to the nation in its onward march and which has been supported by us. As it has our support, the Government need not be nervous in its dealings with the Government of India in this matter and need not submit to be drawn by the nose by that Government. If this Government is willing and has got the grit to fight its way up to the right point, I assure them that they would not find us lacking in our co-operation in this respect. Why, I ask in all humility and earnestness, should this Government be nervous and keep quiet because the Central Government has not been pleased to give its blessings to this Bill? It ought to have brought to the notice of the Central Government that as far as this Presidency is concerned this Bill is an absolute necessity. The Bill was passed into law by this House and it is up to the Central Government to leave us alone at least in this matter especially when elsewhere they are seriously thinking of granting provincial autonomy. Minor matters relating to this subject could very well be looked into by this Government even before any Bill in respect of irrigation is passed into law. I am sorry to say that that has not been done in recent years. In the year 1926, Sir K. V. Reddi Nayudu was ventilating in this House some of the grievances of the ryots. He was speaking of the pipe-system. There are pipes varying from 2 to 12 inches. The 3 or 4-inch pipes are next to useless. There is in the delta taluks, as the hon. the Revenue Member . . ."

* The hon. the PRESIDENT :—"Does the hon. Member find provision in the Irrigation budget for 3-inch pipes?"

* Mr. P. ANJANEYULU :—"No, Sir, but I was speaking of the irrigation facilities."

15th March 1929]

* The hon. the PRESIDENT :—" I think the hon. Member will have to take another opportunity to refer to these pipes."

* Mr. P. ANJANEYULU :—" Sir, in the matter of irrigation canals there appears to be some difficulty between the Public Works Department authorities and the local boards. For the purpose of irrigation, canals are opened and have to be bridged over. The Public Works Department people say that bridging the canals is none of their business and the local boards also say the same thing with the result the people of the locality suffer. It is very necessary that a law should be passed fixing the responsibility on particular departments.

" Sir, I will now refer to a great difficulty experienced by the people in my district. Sir, the Kistna canal called the Buckingham canal is about 30 to 40 yards wide in certain places. People belonging to the villages surrounding the canal have been complaining for a long time that difficulty is felt in crossing it and that most of their cattle are carried off by the current. The hon. Minister was saying that cattle have only to swim to cross the canal. No doubt the cattle can swim, but there is danger in their doing so in that canal. As the canal is broad and the current is very rapid many of them are drowned. The hon. Minister was pleased to say that he had no information on the subject when questions were put on the floor of this House. I do not know whether he got the information subsequently.

" But I am giving this much of information—because I had been to the spot—that every year not only some cattle but also some men die." 12-30
p.m.

* The hon. the PRESIDENT :—" I do not think the hon. Member will be in order in ventilating local grievances."

Mr. S. SATYAMURTI :—" Election time, Sir."

Mr. P. ANJANEYULU :—" I bow to your ruling. I thought I would be justified in giving a concrete example to justify a general case and that the hon. the President would exercise his indulgence and allow me to refer to it."

* The hon. the PRESIDENT :—" If it is a question of exercising an indulgence, I will not exercise it in his favour."

Mr. P. ANJANEYULU :—" I leave the rest of the matter to be understood by the hon. the Revenue Member and also by those whom it may concern. I submit that all these difficulties are existing and much persuasion is not required to urge that an Irrigation law is an essential necessity. If in tackling with the situation, if any extraneous circumstances came in their way I would exhort the Government to take courage in both hands and introduce an Irrigation law and we on this side of this House are ready to give our support to it."

* The hon. the PRESIDENT :—" The question is 'to reduce the allotment of Rs. 39,97,400 for Irrigation, Navigation, etc., by Rs. 100'."

* Mr. C. RAMASOMAYAJULU :—" Being conscious of the ruling that you gave when the previous speaker was speaking, I wish to explain to the House that the absence of an Irrigation law in this Presidency has led to many anomalies in the administration of the Irrigation Department. Belonging to a district which is deltaic and in which questions referring to irrigation frequently crop up, and the Government have to work them out very often. Even without any unanimity about them and without any common characteristic about them, the administration of the Irrigation Department in deciding

[Mr. C. Ramasomayajulu]

[15th March 1929]

these questions under the rules contained in the Board's Standing Orders or otherwise has led to many peculiar difficulties for which the people are not able to find any remedy. I would illustrate my position by quoting one instance in which the glaring absurdity of the situation is made apparent. The House is aware that there is such a thing called breach irrigation. There are enormous difficulties with this system of irrigation, and with reference to a particular case, I put to the hon. the Revenue Member several interpellations which he fought shy to answer in a direct manner. If there has been an Irrigation law, we would not have such anomalies and he would not have had difficulties in answering the questions. If a person cultivated his land by breach irrigation, and if he is a ryotwari holder or the owner of Government jirayati land, he has to pay three times or five times or fifteen times the consolidated wet assessment on the land; if he happens to be the owner of an inam land, he has to pay three times the water-rate payable on the land, i.e., in multiples of Rs. 5; if he is the owner of a land in a zamindari village, he also has only to pay multiples of Rs. 5. The first named man, i.e., the ryotwari holder or the owner of a Government jirayati land has to pay three times in multiples of not merely the water-rate but also the whole consolidated wet assessment payable on the land. Of course in the latter case the consolidated assessment includes land revenue payable on land in addition to the water-rate. There is absolutely no law on the matter and we can only refer to rules. Unfortunately the thing is this: if an inam holder cultivates his land by unauthorized irrigation, he has got to pay in multiples of only the water-rate; but if his neighbour who owns a Government jirayati land or a ryotwari land and he cultivates it by using water by unauthorized irrigation he has to pay three times, five times or ten times the consolidated wet assessment which is made up of revenue and the water-rate. My point is this: if the Irrigation law is codified and proper provision is made and rules are published in accordance with the powers given under that Act, these anomalies will not exist. I am sure the hon. the Revenue Member really deplores this unfortunate circumstance because he cannot but deplore. I understand from the hon. the Revenue Member that Government recently issued a Government Order but that did not meet the situation squarely. That recent Government Order which attempted to justify this procedure but in attempting to justify their procedure it stultified itself. It began to explain the conduct of the Government in this way: the holder of a land in a zamindari village pays only three times the water-rate because he pays rent to the zamindar. There is no logic in this because if the zamindari landowner pays rent to the zamindar, likewise the ryotwari holder pays his revenue directly to the Government. I ask what about an inamdar paying only multiples of water-rate for having cultivated his land by using the water by break whereas, another who owns a Government jirayati land, and who is liable to pay the assessment to the Government have to pay more. My land is subjected to perpetual revision of settlement by Government every 30 years and therefore the Government ought to be generous in penalizing him. The case set forth by the Government in their recent Government Order instancing the case of the landholder in a zamindari is that the former pays his rent to the zamindar and therefore his case is different. But the Government does not take into account the case of an inamdar at all because the Government has absolutely no explanation there. There is no use of saying that the land revenue is not included in the consolidated wet assessment.

15th March 1929] [Mr. C. Ramasomayajulu]

"There is water-rate payable on the land in addition to the land revenue which was fixed at the time of the settlement taking into consideration the taram of the land. Therefore, if, a land is irrigated by breach irrigation I submit that it can be levied only in multiples of water-rate which forms only a portion of the consolidated wet assessment and not in multiples of the whole consolidated wet assessment. My point is this: if proper rules are made subject to the discussion by the Legislative Council, these anomalies will not exist. If these rules are to be made in a hole and corner fashion by the Government without consulting anybody, without the vote of anybody and without the knowledge of anybody and if the law is to be administered in pursuance of those rules, then I say they are likely to give dissatisfaction to the people. These rules are to be found in the Board's Standing Orders and we have not got any enactment on the basis of which we can fight our case. It is only this morning that the hon. the Revenue Member was saying that the allowance given for baling out water was fixed so long ago as 1861 at some rate. I particularly brought home to the hon. the Revenue Member that the baling concession allowed is absolutely out of all proportion to the labour involved in that work. If there had been an enactment, we could have proceeded on the basis of that enactment. The rules that are in existence are absolutely inadequate.

"One argument that was adduced was that this assessment is a penal assessment and indulgence ought not to be allowed. I say it is not a matter of indulgence, but it is a matter of life and death to the man. He must get water. Law or no law, he must have water to irrigate his land and that in proper time. There is absolutely no use in saying because it is an illegal act the man who uses the water by breach must be penalised. It is illegal to say so. I can understand if the Government were to say that for purposes of proper administration they will have to insist upon the rules being carried out. But what I say is that if these rules are properly made and if the assessment is properly levied and if the supply of water is properly regulated by an enactment, then these anomalies will not exist. It is not that people will not respect the rules or laws made by Government.

"I do not wish to enter into other details. I have got only one more remark to make and that is this: so long as the administration of the Irrigation Department is being carried on in this hole and corner fashion, the deltaic districts will have to pay their assessment to the Government, out of constraint and not by a sense of benefit derived thereby."

* Mr. G. HARISARVOTTAMA RAO:—"I am sorry to remark that this irrigation business is a part of lawless administration now undertaken by the bureaucracy on behalf of the poor people of this country. An irrigation law has been asked for a long long time and attempts have been made incessantly to press on the attention of the Government the necessity for an irrigation law, but they have been adamant. We have heard from the Members of the Treasury Bench that the law has not been made because of a particular provision not being agreeable to the Central Government. I am not concerned with any particular provision as such. I am concerned with the democracy that is vouchsafed to us. In no democratic country in the world would the expenditure of a large sum of money be allowed without the sanction of the legislature, not merely the sanction of the demand but the sanction for the administration itself. In this country there is no such sanction for this administration. The Irrigation Department is being run entirely by the bureaucratic will of the Government and the people have no redress whatever

[Mr. G. Harisarvottama Rao] [15th March 1929]

against that will. That will has been exercised in such a manner as to make it incumbent upon the representatives of the people to press on the attention of the Government the necessity for passing an irrigation law immediately. In the name of difference of opinion over a particular provision, this law has been withheld. As a matter of fact, irrigation law is not merely to reduce the rates that may be levied. It does not merely affect that issue. It affects many other issues. A real irrigation law would affect the laying down of programmes, would affect the rights of the Public Works Department, the rights of the Revenue Department and in fact the rights of the Government as a whole as against the people. And to-day, what is the spectacle? There is not even the vestige of a law with regard to the policy that is followed by Government both with regard to major works and minor works. We have known the agitation that has been carried on the floor of this House regarding kudimaramat.

12-45
P.M.

"Where is the law that regulates kudimaramat? For the sake of a comprehensive law, the maramat question has been held up. Last year at budget time the hon. the Revenue Member was kind enough to state on the floor of this House that the Government had not much objection to the Bill that I wanted to introduce. But questions put later could not elicit information whether sanction was given to my Bill and with whom the Bill was pending. I sent up the Bill over a year ago. No intimation has been received by me and the Bill is not attempted to be carried through. Knowing that there is need of such a law, knowing that there is the necessity of enacting a law, the Government are sleeping over the matter, not because the Government are not aware of the fact that democracy demands legislation in matters of this kind, but because of the fact that the Government are accustomed to carry on the whole administration in a bureaucratic manner. If there was really a law regulating the irrigation policy in this country, it would not be possible for the hon. the Revenue Member to sleep over scheme after scheme for years and years together. For instance, last year, one project in the Kurnool district (Tippayapalem project) was said to be almost ready. Even to-day we do not hear of its commencement. A number of questions were raised on matters relating to the repairs of channels. All these are in abeyance and we are left without a remedy. The rules that are framed for purposes of irrigation are framed by executive orders. They are not framed under the sanction of any law. If we really had an irrigation law, kudimaramat rules would be entirely different. For instance, Sir, I brought to the notice of this House certain difficulties with regard to a channel in Sirvel taluk—Rudravaram channel. I brought to the notice of the Government certain difficulties felt with regard to a distributary of the Kurnool-Cuddapah channel at Mamidalapadu. These questions have been pending for years and every day the changes that are made in the rules regulating irrigation in this country are made by the fiat of the executive. Whatever the Public Works Department desires to carry out is carried out in defiance of the public will.

"No doubt this is a developing department. I agree with the classification that has been made by the Finance Secretary. This is a developing department and, as such, the voice of the people must be given full effect to. The administration is carried on without any reference to the desires of the people but in accordance with the wishes of the bureaucracy. Therefore I feel, Sir, that the time has come when the Government should wake up to the realities of the situation, more especially so because under the present constitution a

15th March 1929]

[Mr. G. Harisarvottama Rao]

private member has not enough facilities to introduce legislation of any great value. If our Bills affect in the least either the revenue, criminal or civil law, we have to get the sanction of either the Governor or the Governor-General. As we all of us in this House know, whatever legislation a private member is able to introduce into this House, it can merely be in regard to tinkering with this or that small detail and that nothing substantial in the name of legislation can be done in this House by private members. When you have put private members under such a handicap, it is the duty of the Government to bring forward measures which are in the interests of the public. Simply because you are not able to agree with the Legislature on a matter of rates which is contained in a particular clause that is included in the Bill, you allow the whole department to spend lakhs of rupees every year without any popular sanction to its policy. This is a very dangerous state of affairs to be allowed to continue in what is called a reformed constitution, the constitution that claims to introduce democratic principles of administration in this country. If the people were not being ground down under the heel of the Public Works Department or the Revenue Department, this claim would not be so very insistent as it is to-day. Oppression is very great. In the matter of kudimaramat, however sympathetic the answers made on the floor of this House may be—I know the hon. the Revenue Member; he is a very honest and industrious man and he does what he considers he may do within the bureaucratic limitations he has got—the exactions that are made in its name from the people are very bad. For instance, Sir, I brought to the notice of this hon. House by an interpellation what was done in a particular place in the Markapur taluk. A sum of Rs. 600 was taken out from the people. These people were told that there was a crop of twelve annas in the rupee and that therefore they had to pay the whole amount. As a matter of fact, I proved, I believe, to the satisfaction of the hon. the Revenue Member himself that, at the time, there was no rain in the taluk at all and that people were suffering. Such things are happening because we are not able to have any redress either under any Act or under rules made under the Act which has the sanction of the Legislature. I therefore feel, Sir, that the time has come for the Government to look about and wake up. The Government should not go on with the theory of their own self-sufficiency. They should not feel that they are safe with their bureaucratic power. They must also care for the interest of the people. The Government should not slight the Legislative Council and desist from introducing an enactment covering the whole field of the irrigation policy, covering the whole field of irrigation administration. They must give respite to the people from the exactions of the Public Works Department or the Revenue Department.”

* Sriman BISWANATH DAS MAHASAYO :—“ Mr. President, Sir, I support the motion whole-heartedly for the following reasons. Sir, on the floor of this House, the hon. the Law Member who was then in charge of Irrigation, made it very clear to the hon. Members of this House that important irrigation works are not to be taken up until an irrigation law was enacted and placed on the statute book. Government Members come and Government Members go, but the office in charge of Irrigation is still there. I take it, Sir, that the honour of the Government requires that the promise made by the then Law Member should be redeemed by the hon. the Revenue Member who is in charge of the office now. Important irrigation works then under contemplation were kept

[Sriman Biswanath Das Mahasaya] [15th March 1929]

in abeyance on the understanding that they would be taken up after the Irrigation Bill which was proposed to be introduced into the Council was enacted and placed on the statute book.

"An Irrigation Bill was introduced and a Select Committee was appointed consisting of various members representing various parties. Such an important and influential body was appointed which sat for a number of days at Ootacamund and here. Ransack the whole history of this legislation. You see that the Government accepted the most important provisions of the Bill. There were certain important points on which we had to differ from the Government, but they never intimated that the Bill will be given up on this score. That being the position, we on this side of the House fail to realize what made the Government afterwards to withdraw the Bill and leave the administration of irrigation in this Presidency to the mercy of the Executive. Irrigation is an important item of administration. What the Joint Committee has stated about the Land Revenue to be placed on the statute book equally holds good for Irrigation also. That being so, it would be wise for the Government to concede the desire of the Members of this House and also the people of this presidency and to bring forward an Irrigation Bill which is so very necessary even in their own interest.

"Sir, we have been told that the Irrigation officers have been put to popular odium. No one can help it, because you do not legislate and allow the responsibility to be shifted upon us and that when we are prepared to take the responsibility. We are prepared to enact a law and leave it to the executive Government to administer the law. You do not do so; you want to perpetuate your own discretion and that in your own way. Therefore you should take the popular odium and all the sting resulting from your own acts. The time has come, Sir, when the Government should be responsible to the people, and responsive to their needs. The Irrigation law as it is administered to-day follows merely executive instructions and orders. The sooner they mend or end, the better for us all.

"Sir, great difficulty is felt regarding baling of water and water-supply for rabi crop; for establishing irrigation panchayats, people have to depend always on the good-will and mercy of the executive to be saved from Irrigation officers, the lower subordinates and of the staff. It is therefore necessary and desirable that the experiment of establishing irrigation panchayats in certain parts of the Kistna district be extended to other works in other districts and be placed on a statutory basis.

"Madras has been stated to be a presidency which depends mainly on agriculture and agriculture cannot progress without irrigation. Therefore the Government should pursue a policy of extended irrigation in every way possible. I think they cannot do so better, than by having an Irrigation law properly enacted and placed on the statute book. Being a member of the Irrigation Committee of Ganjam district, I must state here that good irrigation projects which would have brought contentment on thousands of families in that famine-stricken district of Ganjam had to be given up because they are situated in zamindari areas and the zamindars would not agree either to take up themselves or allow Government to take up. All these point to one conclusion, i.e., to enact an Irrigation law. Then frame a programme of work so as to bring ameliorative effect on the people of this province. I heartily

15th March 1929] [Sriman Biswanath Das Mahasayo]

support the motion for bringing to the notice of the Government the necessity of enacting an irrigation law. I only hope that the Government would keep the promise they made on the floor of the House."

* The hon. the PRESIDENT :—"The House will now adjourn and re-assemble at 3 o'clock."

After Lunch 3 p.m.

Mr. A. KALESWARA RAO :—"Mr. President, a satisfactory Irrigation Bill is as important as a Land Revenue Bill. About 3 crores of rupees are being collected from the ryots in the shape of water cess or penal assessment and so on, and there is no rule or law or regulation which lays down any principles as to how and under what circumstances this money can be collected. Now according to resettlement Government are trying to enhance the water-rate collected on the lands. Without any definite methods the revenue officials collect penal assessments from lands which are irrigated by ryots without the permission of the Government and as much as Rs. 7,50,000 is being collected in the shape of penal assessments from the Presidency as will be seen from the budget reports themselves. In most of these cases, the ryots actually apply to Government in time for permission, but this depends on the whims and fancies of the officials who happen to be there for the applications to be granted or not. In this way, the poor ryots suffer very much. The Government also in certain cases feel handicapped for want of the irrigation law for doing certain things which are beneficial to the people. For instance, when the ryots are prepared to pay higher rates and are prepared to execute muchilkas and when they go and ask Government to undertake new irrigation works, the officials say, by attachment of properties without any irrigation law they are not entitled to collect higher rates and that they could only enforce the agreements by having recourse to law courts, which the Government would not like to do, and that therefore they are not willing to undertake new water works. Therefore, for the collection of these rates, for the levying of penal assessments and things of that sort under proper control of the Legislative Council, as also to enable Government to execute beneficial works by constructing new irrigation works, an irrigation law is, I submit, quite necessary.

"You know, Sir, that in 1924 an attempt was made in the way of introducing an Irrigation Bill, how it went to a certain extent to give some relief to the people and how the original Bill, though it contained some reactionary provisions like compulsory labour and conferring the right to Government officials to refuse water to persons at their will and pleasure, was improved later on in the select committee as well as in the Council, and such things were removed and various useful and necessary amendments were made. You also know, Sir, how it passed through the Council and how Government sent it back and finally threw it down without taking any further steps to pass it into an Act. So, Sir, when the Government found that the Legislative Council did not allow its officials to have arbitrary powers as they possess now, and as soon as they found that the Legislative Council wanted to curtail the arbitrary powers and to bring everything under its jurisdiction, they abandoned the Bill and are going on with their arbitrary powers. In the case of rivers or streams which are flowing partly through the Government areas and partly through proprietary estates, the Government feel that they cannot do anything to construct any irrigation work. In the Kistna district, the

[Mr. A. Kaleswara Rao]

[15th March 1929]

question of the high level channel from the Kistna was often discussed about and the local officials said that on account of the high level channel passing through zamindari areas where several streams have to be interrupted and used, so that the water may flow into the channel, the local officials could not undertake such things. That is what they say. For all these reasons, the absence of any irrigation law has created much loss to the people. I support this motion and I submit that it is absolutely necessary to introduce a good irrigation law at once."

* Mr. D. NARAYANA RAJU :—" Mr. President, Sir, the absence of a satisfactory irrigation law is felt by the people. It is necessary not only in the interests of the people but also in the interests of the Government. If there is going to be any further extension of irrigation facilities, it means that Government would also derive more income from them. I have got in view the conditions in my district. There is what is called the Ammunillanka project and I am very much hesitating to press that project on the Government, merely because there is no satisfactory irrigation law. For that project we have to intercept the waters of a stream called Yerrakalava running through a number of proprietary villages. If the Government want to take up that project, the owners of these proprietary villages may come out with suits against Government for intercepting the waters of the rivulet, and for fear of that Government may not take up that project. That is why I am hesitating to take it up in the absence of any irrigation law. With regard to the other conditions I may satisfy the Government. But I am doubtful whether Government would be willing to take up that project in the absence of a clear legal basis as to what extent the proprietary villages are entitled to the use of the waters and to what extent Government are entitled to use the waters. For all these things a satisfactory irrigation law is necessary.

" Further, at present, the administration of irrigation is left entirely to the arbitrary will of the executive authorities in the districts. This leads to a good number of anomalies. For instance, take the case of water applications. In my district the rule is that water applications must be submitted only through the village karnam. Now, if the people submit their applications direct to the higher authorities such as the revenue inspector or even to the Public Works Department officers, they are generally refused. They say that the applications cannot be sanctioned because they are not submitted through the proper channel, namely, the village karnam. In many villages, the people and the village karnams are at loggerheads, and the people of the villages are to be at the mercy or sweet will and pleasure of the village karnam. If he is so disposed, he is in a position to impose any amount of penal assessment on the ryots. There are also cases where the ryots approached the village karnam to take up applications, but he refused. When these applications were sent by registered post also, he refused at times to receive applications by post. Even in such cases, if the applications are sent direct to the higher authorities, they say they have no right to apply direct, but only through the village karnam. Poor ryots have no other go. The hon. the Revenue Member with his long experience knows what it is for the villagers to be at the mercy of the village karnams to get their water applications sanctioned. It is not very easy always to get these water applications sanctioned in time and therefore they are put to a good deal of hardship and harassment in this matter. Further, there is a standing order by the Collector of West Godavari recently that there should be water applications

15th March 1929]

[Mr. D. Narayana Raju]

even with regard to garden crops. This clearly works a great hardship on people. These garden crops are not being raised for the first time, but they have been doing it for a very long time, even in the pre-ancient days, that is, before the delta system was organized. Hitherto there was no rule that the ryots should submit water applications with regard to garden crops. Only recently there is a standing order made by the Collector that even with regard to garden crops people must submit water applications in time and get them sanctioned by the authorities before raising such crops. This of course is a real matter of hardship to the people concerned. Garden crops, such as sugarcane and plantains, cannot be refused or sanctioned year after year as the authorities may like to do. If a ryot raises sugarcane on his field this year, he will have to go on for a number of years before he realized his investment on it. In one year he cannot realize the whole investment, but will have to be raising the same crop next year at least. Otherwise, there would be much waste of materials. There are very many things necessary for that cultivation. He cannot dispose of those implements next year and to make use of those implements at least, he will have to raise the same crop the following year as well.

"If it is left to the will of the officers to refuse or grant applications, the poor ryots have to satisfy so many people that they will be compelled not to cultivate the garden crops at all. In getting the sanction he has to spend a lot of money; if the sanction is refused, he runs the risk of losing the large capital he has invested. Generally, it happens that these garden crops should be raised in the months of February and March. If the ryot submits his application at that time the authorities consider it and dispose of it only in August or September following. So, how can these people raise garden crops under these conditions? It is very difficult for them to know beforehand whether their applications will be refused or sanctioned. These are the inconveniences to which the poor ryots are put to by leaving these matters to the arbitrary will of the authorities. Further in these matters it is the poor people that are really hit. These garden crops can be raised only by the small cultivators. Things like sugarcane and plantains which require a great deal of labour and personal supervision can be cultivated only by the small ryot as he alone can devote his undivided attention to it. In view of the high cost of labour in the market big cultivators do not go in for this. This small cultivator does not know how to get the necessary sanction; and consequently there is a great deal of harassment. In the current year Government have begun to collect penal rates. I know as a matter of fact of several people applying for sanction and their being refused and they are forced to shell out even forty or fifty rupees per acre as penalty. Sir, these difficulties are due to the absence of proper rules or regulations governing these matters. I hope Government will see their way to redress these grievances."

* Mr. K. V. R. SWAMI:—"Mr. President, the various aspects of this question have been discussed by the hon. the Mover. The need for the Irrigation Bill was recognized by Government long ago. First a Bill was introduced into this Council but was unfortunately turned out at the very outset. Then another Bill was introduced in 1924 and it passed through the various stages. But Government did not agree with certain portions of the Bill and they were remitted to this Council for reconsideration, as under the constitution it is always possible whenever His Excellency does not approve

3-15
p.m.

[Mr. K. V. R. Swami]

[15th March 1929]

of a particular enactment he can remit that Bill to this House for further consideration. In that way that Bill was remitted to this House. Unfortunately what happened was, somehow or other a motion was made by one member of the Justice Party asking this Council to postpone the further consideration of this Bill *sin die*. That was granted by the House and the Bill is there. Now Government have got a majority in the House and I do not see any reason why they should not bring that measure and carry it. It was contended that the Bill is a non-party measure. But, of course, as we go through the proceedings we see that each party wanted some pet theories of theirs to be carried. The question of the interests of the zamindars being jeopardised was raised and the late Raja of Ramnad said that he would have to relinquish his estate as he felt that he would not be able to pay the heavy amount as peshkash if the Bill were to be given effect to. Some zamindars wanted to arrogate to themselves the maximum amount of privileges they could command instead of trying to protect their privileges they already enjoyed from the time of the permanent settlement. The Government stood against it and the House stood against it and somehow that difficulty was got over. The particular contention between the Government and the Council was as to who should fix the water-cess. As regards that matter, this Bill was intended only for new irrigation works, like the Mettur project or the Kistna or Godavari anicuts. These projects could only be effected by borrowing funds. With this Bill Government intended to levy a water-cess equal to the sum to be paid as interest on the outlay which was from the borrowed funds. In that case it does not matter who fixed the rent, the Government or the Council. With regard to Mettur project, Government propose to levy fifteen rupees. There is no contract between the ryot and the Government. If the ryot does not pay that amount, his land will not get water-supply. But there were other points involved. The representatives from other districts would certainly say that general revenue should not be utilized for the benefit of a particular district. But that should not be made a big matter under the circumstances. Situated as we are, we should have an Irrigation Bill. For us agriculture is the only means of livelihood. Eighty-five per cent of our people have to depend upon that; and without irrigation no paying cultivation is possible. As regards the productive projects they have been very successful and they have been paying all along. Only the other day the interest we received from these productive projects is shown as 10½ per cent and the yield from these undertakings is 450 per cent and the total profits of the Government according to Government computation is about 26 crores; and Government have invested only about eight crores. Therefore it goes without saying that this is a very profitable concern. As pointed by one hon. Member, the difficulty comes in where a river passes through a zamindari area. The zamindar will say 'Without your Bill I have got the riparian right and I am entitled to it as it has been conferred at the time of the settlement.' Therefore what is required is that we must have a law which will safeguard everybody's interest. The other difficulty I have adverted to already; and that is the absence of any contract between the ryot and Government in connexion with the Mettur project that the latter should pay the fixed amount of water rate per acre. Thus there are several difficulties and unless we get this Irrigation Bill through this Council it will not be possible for Government, even if they intend, to take up big projects like the Tungabhadra, the Lower Bhavani or other projects.

15th March 1929]

[Mr. K. V. R. Swami]

"Now the whole responsibility lies with Government, for they should not say that unless we agree to such and such conditions they are not going to introduce the Bill. Last year I was told that to consider some changes in the Irrigation Bill a conference was called for and there it was told that Government would bring forward the Irrigation Bill only if certain things would be agreed to regarding the Bill. What I submit is that Government should not think so, for it is the people that are concerned more with it than Government. Let them not feel nervous about introducing it. The Bill cannot be satisfactory in all respects; the defects that may be found out may be rectified later on, in course of time. For as we are all aware it will not be possible to produce a perfect legislation at any time whatsoever. It was not so in other countries.

"So, my submission to the members of this House through you, Mr. President, is to support the idea of this Bill. Some may say 'Let us wait till we get sufficient powers.' Even then, I do not think there would be any time when every member of the House would be satisfied with the Bill that would be produced by the party that would be in charge of the Bill. Always there will be some difference of opinion. There will be some opposition and there will be some support for any measure that may be brought forward. All these things will have to be faced. Fortunately this subject is now in the hands of a member who has got considerable experience in this matter and he has got, I also believe considerable influence in this House. He is a sympathetic man and he can see that he is profited very much by the discussion that took place, and can bend to the inevitable will of the people where necessary, and see that the Irrigation Bill gets through this Council. It is no good sitting tight and saying 'The arbitrary powers I have got are sufficient for my purposes. I do not want anything more, and I do not care whether this country prospers or not. I will do my duty while I am here and let the Government do what they like after my term of office is over.' That ought not to be the attitude. He must look with pride on the work done by him while he is in office. It is no good leaving to the future Government to do all these things. If so, the future historian will write that the Reserved half failed in their duty, that they have not done anything useful and that they made only two important attempts at that time, one being the Land Revenue Bill and the other being the Irrigation Bill, but in both these matters they failed. That should not be said of the Reserved half. They have got considerable faith in themselves and in their ability and their capacity. Under these circumstances, they should try to introduce the Bill again and see that it becomes law."

Diwan Bahadur P. KESAVA PILLAI:—"May I know, Sir, if there is any time-limit to these speeches? Some of us are anxious to speak."

*The hon. the PRESIDENT:—"I request the hon. Member to arm me with the necessary Standing Orders to enable me to fix a time-limit to these speeches at this stage."

*Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Sir, hon. Members have been speaking about the urgency of having an irrigation law. The Government recognizes the fact that want of a suitable irrigation law does to some extent affect the taking up and sanctioning of some of the largest projects which the country is looking forward to for relieving particularly the districts that are liable to scarcity and famine. I refer, Sir, in particular, to the

3-30
p.m.

[Mr. R. N. Arogyaswami Mudaliyar] [15th March 1929]

Tungabhadra-Kistna scheme. And if and when the Government takes up this big question, I am sure they will be confronted with the same difficulties that confronted the Government in dealing with several of the large irrigation projects that were considered by them before. This matter, Sir, is one of vital importance to many districts of this Presidency. The districts called the Ceded districts lie within what is called the famine zone. Famine is almost always an ever-recurring feature of those districts. And in some of the districts, particularly Anantapur, famine and scarcity in some form or other exist always. And every year or every other year we see that Government is compelled to give some relief, or organize measures of relief. My reason for referring to this question in particular in this connexion is its very great importance to so many districts in the Presidency, the districts of Bellary, Kurnool, Cuddapah, Anantapur, Chittoor, and on the East Coast the districts of Guntur, Kistna, Nellore and Chingleput. All these districts are affected by this combined Tungabhadra and Kistna project; I use the term 'combined Tungabhadra-Kistna project' because the Ceded Districts Irrigation Committee that was appointed by this House recommended that the two projects Tungabhadra and Kistna could not be dealt with as separate schemes, but that they should both be taken up together as part of one great scheme. The committee was actuated by several reasons in making this recommendation. And if I stand up here to-day to bring this question to the notice of the hon. the Revenue Member it is with the belief that my suggestions to-day will receive from him the same sympathetic consideration that several representations have received at his hands. I think I may well take this occasion to thank him for his attitude towards the Tungabhadra project. The House is also thankful to him for the establishment that has been sanctioned for the investigation of the Tungabhadra project. But the point that I wish to raise is that unless the Government take up and deal with the Tungabhadra and Kistna projects as one scheme as recommended by the Ceded Districts Irrigation Committee there seems every chance of these two schemes being taken up and probably condemned separately. Possibly the Kistna scheme may not be taken up at all. But there is every chance that when the investigation of the Tungabhadra project is completed and estimates are ready, it will be found unacceptable to the Government. Whatever might be done by the Government experts to make the best of the Tungabhadra project, it seems almost certain that the project by itself will never pay more than 2 per cent on the capital outlay. And that means a very considerable recurring annual loss to the Government. Now the point is this—is the Government prepared to face this large recurring annual loss, and still sanction the scheme entirely as a famine-protective scheme alone? If they do so, Sir, the country will be very grateful to the Government, and the people of the Ceded districts will bless the Government for their decision if the decision is favourable to them, as I hope it may be. But I rather fear, Sir, that eventually the present investigation with its resulting estimate will share the same fate that the previous attempts at the Tungabhadra project shared. The history of the Tungabhadra project is melancholy reading. The Government started investigation for an irrigation scheme in connexion with the Tungabhadra river almost about 150 years ago. If one refers to the files, one comes across reports after reports, Government Orders after Government Orders, all recording the fact that the scheme does not pay and that therefore the Government is not in a position to sanction it. And yet the Government would not and could not give it up. The scheme, Sir, has a sort of

15th March 1929]

[Mr. R. N. Arogyaswami Mudaliyar]

vitality about it for this reason that no Government can afford to ignore the conditions of the Ceded districts as they stand at present and as they stood for years and years and go on for ever like this, without at some time or other conceding the claims of the people. After having gone through this melancholy history it would be right to say that the people of these districts are once again filled with hope that the result of these investigations may at least now culminate in a project which may be accepted by the Government. But the great difficulty, as I said, is this. We have very good reason to doubt that when the Government gets these estimates and is faced by this large recurring annual loss, whether the Government would still agree to sanction the project in spite of this large recurring annual loss. It was in consideration of this difficulty, Sir, that the Ceded Districts Irrigation Committee decided to deal with the whole question of the utilization of of the waters of Tungabhadra and Kistna as parts on one united scheme. And in their recommendations they laid down the order of execution, the order in which various parts of the scheme were to be taken up. It so happens that the scheme can be taken up in parts. The committee therefore recommended that the Government might begin with the principal parts and then go on gradually and execute the other parts in course of time. But at present we have got an investigation establishment sanctioned only for the investigation of the Tungabhadra project in so far as it affects the Ceded districts. The districts of Guntur and Nellore can certainly be recognized by Government as coming within the famine zone. In fact, I may draw the attention of the House to the fact that in the original Tungabhadra project Nellore was included, but at present, as I said, the scope of the investigation is entirely confined to the Ceded districts, and the estimates for the Kistna part of the scheme are not got ready and, if Government does not deal with the whole thing as one unit, there is every reason to fear, as I said, that eventually the Tungabhadra project may not be sanctioned at all. But, if the Government however accepts the recommendations of the Ceded Districts Irrigation Committee and gets estimates prepared for the entire scheme recommended by that committee, there is every hope that the combined scheme will be found remunerative; so that it will be possible for the Government even taking a strictly commercial view of the scheme, to sanction the entire scheme. It was for that reason that the committee recommended that the whole thing may be taken up as one combined scheme. And, if I may invite the attention of the hon. the Revenue Member to that report and the order of execution as recommended in it, he will notice that from the very beginning the scheme would begin to pay. In fact the order of execution is so arranged that every part of the scheme as then executed will be found remunerative. And as a result, when the whole scheme is investigated and carried out, it will be found that the whole scheme will pay. But if the Government persist in their present decision—I wonder if a deliberate decision on the matter has been taken because I fear that the whole thing has come about almost casually and I do not think that the Government has come to a decision deliberately—and if they persist in their present method of work of dealing with the Tungabhadra project alone as a separate unit, I fear when the Government get the estimates and are faced with the prospect of an almost certain recurring annual loss, the scheme may not be sanctioned at all. That is the one reason why I urge that the whole thing should be taken up together and dealt with as one scheme. My recommendation, Sir, would only mean this: Government have already sanctioned an

[Mr. R. N. Arogyaswami Mudaliyar] [15th March 1929]

3-15
p.m.

investigation establishment for the Tungabhadra project. I do not know when the work is to be completed. It could not take possibly more than a year. I should recommend therefore that Government be pleased to sanction the investigation of the Kistna part of the scheme also. We have already got estimates for the Guntur part of the Kistna project; and all that is necessary will be to sanction an estimate that will take up also that part of the project that concerns the districts of Nellore and Chingleput. We know, Sir, it will take some years before the estimates are ready. In projects of this magnitude, they will have to undergo examination by the various departments of Government; Government have to consult the Revenue Department and very likely the agricultural department; and all those consultations would take a considerable amount of time. So that even if Government decide to give establishment now for the investigation of the project, so far as Nellore and Chingleput districts are concerned, it will take four to five years before the reports and other details are got.

“The objection has been urged that Government cannot take up simultaneously large projects like the Cauvery or Tungabhadra or Kistna projects—the Cauvery-Mettur project is progressing, the main works may be completed according to the programme within another five years, and even if my suggestion for investigation in Nellore is accepted, it will be at least five years before estimates are completed and in a shape for sanction. Therefore, the objection that they cannot take up two large projects simultaneously cannot stand. I hope the hon. the Revenue Member will consider my suggestion sympathetically (in this matter, there is considerable feeling among the various sections of the House) and will pass such orders as may give satisfaction to the various sections of the House and people residing in many districts this project would cover.

“There is only one other small point, which is not connected with the projects mentioned. There have been complaints from various districts as to the question of sanction of smaller schemes. It has been the practice, and I believe the rules permit it, to charge the expenditure on these schemes to revenue and not to capital, but—I do not know why—it would appear that within recent years there has been some change in this procedure and Government appear to be insisting on minor schemes being remunerative. It seems, Sir, that this objection ought to be waived, considering the fact that irrigation confers large benefits on the people and indirectly the Government are benefited in the shape of increased revenues (if not by irrigation revenue) indirectly in various ways. I would therefore urge that as Government possesses powers of charging the expenditure on these small schemes to revenue they might continue the practice that was in vogue formerly and continue in future to charge expenditure to revenue. I need hardly state that while expenditure, for instance, on buildings is charged to revenue expenditure that brings no direct return to Government, it is much more reasonable that irrigation works of a minor nature, should within the limits allowed by the present rules, be sanctioned and charged to revenue, even though not remunerative.”

* Mr. R. SRINIVASA AYYANGAR:—“Lest it might be stated that the districts south of Madras are in no way interested in the matter, I rise to support the motion. It is nearly two and a half years since the Irrigation Bill was passed in this House, and when it came back to this House having been

15th March 1929] [Mr. R. Srinivasa Ayyangar]

remitted for reconsideration by His Excellency the Governor, it was jettisoned and thrown into the waste-paper basket, as the result of a dilatory motion brought by the Justice Party. That Bill contained provisions of a very excellent character, and Government have absolutely no justification for not making any attempt hitherto in the direction of bringing in a Bill either in that form or in some modified or amended form. That Bill sought to do away with the Compulsory Labour Act, contained some provisions about percolation, and gave powers to the Legislative Council to fix the water-rate or the rates for kasar and also contained provisions for the constitution of an irrigation board and provisions calculated to better the condition of the ryots. In the interests of the people, in the interests of the large number of agriculturists and in the interests of the Government alike, it is high time that the Government looked into the matter and made up its mind to bring in a Bill and lost no time in placing on the statute book a very satisfactory irrigation law. As it is, now there is no law worth the name, because the whole law relating to irrigation is scattered through Board's Standing Orders, executive orders and decisions published in the Law Reports, some of which it is not quite possible to reconcile and have given rise to a crop of litigation and equally a large number of conflicting judgments. It is with a view to bring peace and harmony and to place the law on the subject on a more satisfactory basis, I appeal to the hon. the Revenue Member before he lays down the reins of his office to introduce or to make satisfactory progress in the direction of introducing an irrigation Bill which will satisfy the people, and besides being equally beneficial to the Government."

Swami A. S. SAHAJANANDAM spoke in Tamil :—

"நீர்ப்பாசன மசோதா வொன்றுவேண்டுமென்று மிகவும் அவசியமானது. அஃதில்லாமையாலேயே ஆதிதிராவிடர்கள் மிகவும் கெட்டுப்போகிறார்கள். எளியவர்களை வலியவர்கள் விழுங்கிவிடுகிறார்கள். அவ்வாறு நிகழாமல் தடுப்பதற்கு மசோதா மிகவும் அவசியமானது. உதாரணமாக, தென்னாற்காடு ஜில்லா சிதம்பரம் தாலுகா வடகிருஷ்ணாபுரம் கிராமத்தில் சில ஆதிதிராவிடர்கள் ஆளொன்றுக்கு ஒரு ஏக்கர் இரண்டு ஏக்கர் நிலங்கள் வைத்துக்கொண்டு மானத்தோடும் வாழ்ந்து வந்தார்கள். ஏற்கனவே அனுபவத்திலுள்ளதும் பட்டாவினுள்ளது ஷே. ஆதிதிராவிடர்களின் நிலங்களின் பக்கத்திற் செல்வதுமான நத்த மேட்டுவாய்க்கால் பாசனத்தை சில அழுக்காறு கொண்டவர் தங்களுக்கு ஆதிதிராவிடர்கள் மேளம் அடிக்கும் விஷயத்தில் தகரார் கொண்டு ஷே நத்த மேட்டுவாய்க்கால் பாய்ச்சலை தடுத்துவிட்டார்கள். தூரத்திற் செல்வதான ஜெயங்கொண்டான் வாய்க்கால் பாசனத்தை காட்டினார்கள். அதுமுதல் ஆதிதிராவிடர்கள் அதேகாதிக்கு உள்ளானார்கள். இது விஷயமாக திருவாளர் ராவ் பகதூர் எம். லி. ராஜா, ராவ் சாஜேப் ஸ்ரீநிவாசன் முதலானவர்கள் முயற்சித்தார்கள், யாதும் பயன்படவில்லை. யானும் பல முறை இச்சபையில் பேசினேன், கேள்விகள் கேட்டேன். இதுவரையில் யாதொரு விமோசனமும் உண்டாகவில்லை.

"சிதம்பரம் தாலுகா பண்ணப்பட்டு கிராமத்தில் ஓடை சேரியை அடுத்தாப்போலுள்ள நிலங்கள், அதாவது ஆதிதிராவிடர் பல வருப்பினர் நிலங்களுக்கும் வீராணம் எரியிலிருந்து வரும் கருடன்வாய்க்காலிலிருந்து

[Swami A. S. Sahajanandam]

[15th March 1929]

சர்வே 71-ம் நம்பரில் 6-வது கொண்டம் பிறிந்து 78, 79-வது நம்பர் வழியாக கிளைவாய்க்கால் வந்து 59 வழியாக அதன் கீழ்ப்புறம் ஷெநிலங்களுக்குத் தொன்றுதொட்டு தண்ணீர்ப் பாய்ந்து வந்தது. சமீபத்தில் ஒரு ஐயங்கார் சில புன்செய் நிலங்களை வாங்கி நன்செய்யாக்கினார். அவருக்கு சொந்தக்காரர் ஒருவர் தாசில்தாராக வந்தவர் ஷெ ஐயங்காருக்கு உதவி செய்ய பழய ராய்க்காலைத் தடுத்து புதிதாக ஒரு கொண்டத்தை யுண்டாக்கினார். அதன் மூலமாகவே பழய நன்செய்களுக்கும் தண்ணீர்ப் பாயும்படி செய்தார். அது முதல் ஷெ பழைய நிலக்காரர்களுக்கு பெரிதுங் கஷ்டங்களேற்பட்டுள்ளன. பெய்தால் பெரு வெள்ளம், காய்ந்தால் கடுவெளியாயிருக்கிறது. இவ்விஷயமாக இக்கனந்தங்கிய சபையில் பலமுறை பேசியுள்ளேன், யாதொரு விமோசனமும் இல்லை. இவ்வாறு பல இடங்களில் நீர்ப்பாசனத்தில் உண்டாகும் இடையூறுகளை நீக்குவதற்கு பில் ஒன்று உண்டாக்கவேண்டுமென்ப பேசினார்!”

* The hon. Sir NORMAN MARJORIBANKS :—“ Mr. President, Sir, the subject of this discussion is supposed to be the need for an irrigation law. As a matter of fact, that was merely a peg upon which to hang other matters, and many of the speeches made by the hon. Members showed that it is not an irrigation law that is wanted, but some change or alteration in the present administrative arrangements—arrangements that no Bill could effect. For example, one of the earliest speakers referred to the question of putting up bridges on new canals. Well, I do not quite see how a Bill or an Act could help them in this matter in any way. . . .”

* The hon. the PRESIDENT :—“ The hon. Member was a member of the committee, and he has dealt with the question—the obligation of putting bridges across new canals.”

* The hon. Sir NORMAN MARJORIBANKS :—“ It was a principle admitted in the present rules. Putting it in the statute makes very little difference, because still the argument arises . . . (Mr. G. Harisarvottama Rao: The law makes no difference to you) whether the road or the canal was there first.

“ As regards breach irrigation, I presume the hon. Member who spoke on that subject did not suggest that we should have a law that every person who could breach a canal and take water where and when he pleased; perhaps it was his intention to point out that it was wrong that it should be possible to levy a higher maximum rate of penalty upon unauthorized irrigation of ryotwari land than on zamindari. I do not know whether he meant to suggest that the zamindari land was penalized too lightly when water was taken, and that it should be raised; if that is so I shall be glad to consider the matter. (Mr. Venkataramana Ayyangar: It is the other way.) In this matter of stopping water being taken irregularly, if the penalty is not sufficient we ought to increase the rate, but if there is no objection to water being taken, we ought not to levy any penalty at all. (Mr. Venkataramana Ayyangar: Hear, hear). It is not in the amount of the penalty that any mistake lies but in its application to a particular case. (Mr. Ramasomayajulu: Why not make it uniform.) You cannot make the penalties uniform, because it so much depends on the circumstances of each case. All that can be done is to lay down a scale and leave it to those who know the facts of each particular case to exercise their discretion; even a statute can do no otherwise.

15th March 1929]

[Sir Norman Marjoribanks]

" Another hon. Member referred to the high level channel in the Kistna district. Apparently, he thought it was awaiting the passing of some irrigation law. That is not so. It is awaiting the gauging of the river and the taking of levels. There is no irrigation law necessary for it. If the levels and the contours and the other engineering conditions will enable such a project to be carried out at a cost commensurate with the revenue to be derived from it, it will be undertaken.

" Mr. Narayana Raju mentioned a project on the Yerrakalava which he said he did not like to press. I wish he would press it forward if the want of an irrigation law was the only obstacle. A law to meet the difficulty in that particular case would probably meet with no opposition as everybody would then know exactly what was involved. The difficulty is about a general law. There will be difficulties about a general law which would not be raised in the case of a Bill . . . with reference to one particular project.

" One other hon. Member spoke of the disadvantages and difficulties which the ryots are put to by the application of the rules in the Kistna district. It is a matter of administration more than of law; and if he would give me a list of those matters I shall be very glad to go into them and see what can be done to better the administration of the matter.

" The most convincing speech against the motion was made by my hon. 4 p.m. Friend Mr. Arogyaswami Mudaliyar as he never once from the beginning of his speech to the end referred to the subject of a Bill at all. It clearly shows that in his opinion there was no need for any Bill for the project he was advocating and I agree with him. We do not propose to investigate the Tungabhadra project as apart from its developments as he suggested. The Ceded Districts Committee of which I believe he was a leading member has recommended that the site of the reservoir is a matter which must be first settled. That is the thing which we are now investigating. When this is done the other parts of the project will be investigated. Of course, we shall need a much bigger staff to carry on the operations, but there is no idea of abandoning that part of the project at all. We first want to settle the site as to where the reservoir has to be. The first site had to be given up owing to the non-success of the negotiations with the Nizam's Government and the present site is within the Bombay limits and the investigation is progressing. So if this site is found to be suitable from the engineering point of view, we can then appoint a larger staff for the investigation of the project in the portions lower down. We want to get on with it in some way and not to be too ambitious to start with. (Mr. A. Ranganatha Mudaliyar: Did not the Superintending Engineer inspect 'the site and send his report?') There was one report but it was an interim report and the investigation is still going on. I do not know exactly how far it has proceeded.

" One other matter that was mentioned was in connexion with the very important subject kudimaramat. I cannot, of course, give my hon. Friend sanction to his Bill because it does not lie in my power to sanction it, but I am surprised to hear that he did not receive any answer. I will see that he gets an answer at once. I was fully under the impression that he had got an answer. In fact, I was almost certain that he got an answer a long time ago.

" Coming to the merits of the subject of further legislation for either restricting or abolishing kudimaramat, this is one of considerable difficulty. My difficulty is that if we were to abolish it we will be doing the ryots a

[Sir Norman Marjoribanks]

[15th March 1929]

great disservice, as then that work would not be done at all. It would have to be done under the ordinary conditions of preparing estimates and getting budget allotments and execution by the Government staff and there are complaints enough as it is that enough minor irrigation work is not done. What will it be then? I have grave doubts in my mind that we will be doing a great disservice by abolishing kudimaramat.

"Then there is the other difficulty that is in the way of restricting or regulating the amount of kudimaramat. Once we make a statutory rule regarding regulation, then the question arises in each case whether the limit in any case has been reached or exceeded. And that means in this country usually law suits. That again means loss of money to Government and a greater loss of money to the taxpayer. It is these difficulties that have so far prevented the Government from formulating any proposal of their own on the subject of kudimaramat. However, we are still considering the matter and I hope that with the help of my hon. Friend opposite and others that we may be able to arrive at some settlement about it.

"Somebody referred to the objection that projects cannot be carried out for want of a Bill, as we may not be in a position afterwards to collect the rates charged for the water. That is a position which I think is not a sound one, because after all even if the water is useful to a person and is worth the money, he will take it and you can recover it then even under the existing law. On the other hand, if it is not worth his while to take it, what would be the use of a law which compels him to pay whether he is willing to take it or not? You charge for things according to their value. I do not think that any projects are held back on the ground of want of legislation on the question of rates. There is however the difficulty of other vested interests and that is a subject which the Government have under consideration and I had at one time hoped that we might be able to produce a Bill on the subject. The lifetime of this Council is now short, but I have not abandoned all hope on that point."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I have only a short time and so I will say only a few words. This discussion, Sir, has shown us one of the ironies of fate so far as this Council is concerned. After the Reforms, Government were insisting upon having an Irrigation Act. I think that Government should be consistent. But unfortunately we are coming now to a time when neither the members nor the Government are consistent. We remember that at the early state of this question, one hon. Member of the Executive Council considered the question so important that he resigned his membership because the Bill could not be passed. Then his successor made speech after speech in this House that not only the Mettur Project but several other projects could not be proceeded with for want of an Irrigation Act. Many of us thought that there was something in it. Therefore we were prepared to help the Government in coming to some understanding about some Bill being passed. Our complaint has always been that the Government have been mixing up too many things. They want to mix up the ryotwari systems with the zamindari systems and they want to mix up big projects with small projects. They want the rich people of the deltas connected with us, poor people who can get not even a drop of water. We have been asking, Sir, that separate Acts may be passed. We know certainly that the delta people did not at all care whether there is an Act or not about kudimaramat. I do not think the hon. the Revenue Member

15th March 1929] [Mr. C. V. Venkataramana Ayyangar]

was correct in saying that there are differences of opinion on every point. So far as that question is concerned, I believe that on that one question of kudimaramat there was practical unanimity on all sides of the House and if a Bill can be introduced to-day it can be passed to-morrow or the day after to-morrow whatever the life of this Council may be. That is a very important question.

"Then as regards the fixing of the water-rate, curiously enough the hon. the Revenue Member says that there are only two alternatives. If a man wants water he will take it whether there is an Act or not, and he will not take water if he does not want it even if there is an Act. If there is an enactment compelling a man to pay reasonably for the water he takes, then people will be bound under the new schemes to pay it. In spite of protestations from Government, I am sure there will be much difficulty about these rates under the Mettur project on which probably we will speak later on. There is no doubt whatever that an enactment of this nature will be very useful and for us who are anxious to get some project like the Lower Bhavani, we are certainly prepared to pay the full reasonable rates. It is really an irony of fate that the Government do not want a Bill while we and the public are anxious to have a Bill at once. As there is no hope of a Bill being brought forward by the Government in the near future, I think it is all the more necessary that we should pass the motion whether the Government cares for it or not as it will remind them of their duties. So we should pass this motion."

The hon. the PRESIDENT :—"I think the House is ready to vote."

"The question is 'to reduce the allotment of Rs. 39,97,400 for Irrigation by Rs. 100'."

The motion was put to the House and was carried.

The hon. the PRESIDENT :—"I now put the grant to the vote of the House. The question is 'that Government be granted a sum of not less than Rs. 101.92 lakhs minus Rs. 100 under Grant VI—Irrigation'."

The motion was put and carried and the grant made.

DEMAND VII—CAUVERY-METTUR PROJECT.

* The hon. Sir NORMAN MARJORIBANKS :—"Mr. President, Sir, on the recommendation of His Excellency the Governor I move—

4-15
p. 10.

'that the Government be ganted a sum not exceeding 107.64 lakhs under Demand VII—Cauvery-Mettur Project'."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, I move—

'to reduce the allotmet of Rs. 1,04,96,900 for Cauvery-Mettur Project by Rs. 100 in order to deal with the whole policy of this project.'

"I would appeal to the hon. the Revenue Member not to deal motions passed by this House with contempt as he seems to have done with the last motion. Nobody on that side seems to care what becomes of the motions pressed by this House and nobody on the other side seems anxious to call for a division. I think this is due to the fact that they know that they are asking for such large amounts by way of grants that a cut of Rs. 100 would be a flea-bite. I am sure they are not going to ask His Excellency to restore these small sums reduced by way of token cuts. I hope, Sir, in regard to what has

[Mr. C. V. Venkataramana Ayyangar] [15th March 1929]

already been done and in regard to what has yet got to be done in connexion with this project—as anything done here would have far-reaching effects—the hon. the Revenue Member would pay a little more attention and consider the matter very deeply.

“There were at times opinions expressed in this House very strongly by a strong party against the whole Mettur project. I must take credit, Sir, for being one of those that always believed in the usefulness of the project; and, although Coimbatore was one of the districts that was seriously and directly affected adversely by this project, all of us, the three members from that district, placed the whole province above personal and district considerations and agreed as a matter of general policy to this Mettur project going forward. Of course, I then said and my colleagues then in this Council agreed with me that whatever might be the adverse effect on account of this project to our district and to the district of Salem, we would remember the far-reaching effects financial and otherwise for the whole Presidency that would result from this project and agree to it. Therefore, the first resolution that was brought up here was agreed to and it was passed unanimously. But then there came the question of policy. We said that it was not desirable that because we were prepared to help the project in the interests of the whole Presidency the people of Salem and Coimbatore should be made to suffer, the least extent possible. We appealed to the hon. the Law Member who was then in charge to take that matter into consideration and he made a statement on it. He, on the floor of the House, made a statement that he would appoint a committee for considering the question of the distribution of water to the districts of Salem and Coimbatore. The committee was appointed and it consisted of some members from Trichinopoly, and Tanjore also. The committee, including the hon. the Law Member and the Chief Engineer for Irrigation, unanimously recommended that at any cost water should be given to Salem and Coimbatore districts. This is No. 1 promise broken. As I said, the committee reported in our favour but its recommendations were not given effect to. The trouble did not end there. Time after time attempts have been made to give the three districts of Salem, Coimbatore and Trichinopoly some chance of getting some water under this project but so far without any success. Whatever might have been the official opinion of the Revenue Member on this matter, I appeal to him to go into this question again carefully. As a matter of fact, he has unsettled a settled fact and promised so far as irrigation in Coimbatore and Salem is concerned to go into the matter again a little more carefully and sympathetically, and we request him in spite of what eminent engineers might say, to insist upon some water being given to Coimbatore and Salem. That would be one point connected with the policy on which the reputation and good name of Government, if they have any, can stand. The one possible objection that may be raised by other districts is that on account of giving some water to Coimbatore and Salem may be a little more costly than in giving the whole water to Tanjore. For that, Sir, we have given repeated undertakings that we would be prepared to pay from Rs. 27 to Rs. 29 per acre if necessary so that we may get some water. Of course the Revenue Member may ask: ‘How are we bound?’ My reply will be: ‘Yes, you will be bound to fix the rate by law.’ If this Government does not want an Irrigation Act for the whole Presidency, I would appeal to the hon. the Revenue Member to have an Act passed so far as this irrigation scheme is concerned and we, the people of Coimbatore and Salem, are prepared to give an undertaking if necessary under that Act that we would pay whatever

15th March 1929] [Mr. C. V. Venkataramana Ayyangar]

sum between Rs. 27 and Rs. 30 is fixed by various expert engineers for giving us water. That is one of the points which we have been urging on the Government from the beginning. That is one condition on which the Government—I do not care whether it was the Law Member or it is the Revenue Member who is in charge of Irrigation—made the promise that they would give this water. It was, Sir, subject to that undertaking, that the motion was approved of by this House unanimously. I hope the Government will not go back on their word.

“Sir, the second point I wish to mention in connexion with this project is very important, we were told, and our mouths watered at the time, that with a view to have several similar projects in this country a large number of Indian engineering officers would be trained in this work. I believe the then Member in charge, Sir C. P. Ramaswami Ayyar, took pride in saying that he would make this project an Indian project so far as its personnel was concerned. He said that he would try to make the whole department, from top to bottom, Indian. Alas! what an irony of fate! To-day, practically, with one exception, all the higher officers at the dam are Europeans. I have nothing to say against them personally. They may be all perfectly good people. But I am saying that in the interests of the country, in the interests of reserving the experience and skill training that can be gathered from such a big work for the country with a view to give advice either from official benches or from non-official benches in future construction of similar schemes. There is a great necessity for Indian experts in this department much more than in any other department. I would therefore ask the Revenue Member to go into that question again. I do not want that any of the existing European officials should suffer. All I say is that in the interests of the future irrigation schemes in this province, the desirability of trying to put some Indian officers at the top in the dam should be considered. I am glad to say that the Government cannot say that there is any dearth of Indian officers. The latest announcement is that a distinguished Indian is to be the Chief Engineer for Irrigation. He can in that capacity deal with various projects that have been sanctioned or are likely to be sanctioned in all parts of the Presidency. I do not see why he should not be placed in charge of the Mettur project. I have given a separate cut motion to discuss this thing. But I may now say this: that in whatever capacity the hon. Revenue Member holds office for some months more, he will look into the possibility of doing good. Let us hope that he will do all that he can so far as this question is concerned. This is No. 2. On this question of policy we have been asking the Government from the beginning and they have been promising to look favourably into the question of Indianization. But they have practically given up this question of Indianization on this Mettur project.

“My next point relates to unemployment. Sir, for the last half a century this project has been under contemplation. It was expected that for this project they would make use of the materials and men in and near the site. It was agreed to and approved by engineer after engineer not only of this Presidency but of the Government of India also that all the materials and labour necessary could be had at or near the site of this dam. Therefore we thought that this would be a pakka swadeshi concern giving full work to the people of the locality in both the districts of Salem and Coimbatore for a number of years. Alas, Sir, we have been sadly disappointed. In spite of the fact that till three or four years ago there was not even a word said about cement being

[Mr. C. V. Venkataramana Ayyangar] [15th March 1929]

used, the mania for using cement has so far developed that to-day probably there will be very little of any other material used. The amount likely to be spent for the purchase of cement is, in round figures, one crore. If cement is not to be used, all this huge sum could have been conserved in our districts. The Mettur Project Committee appointed to go into this question included my hon. Friend Mr. Arogyaswami Mudaliyar who is an expert in this matter as much as, if not more than, others have reported that from the common-sense point of view also it is much more desirable to use big boulders and surki mortar instead of having small pieces of concrete and cement. I do not know if the Secretariat has been adventurous enough to read the *Scientific American*. About three or four months ago there was an article in that journal which gave us the news of a big reservoir built with cement certified to be quite strong by eminent engineers the previous evening collapsing during the night and flooding the neighbouring villages. I am sure the Secretariat would not have noticed it. Of course even if it was put up, the engineers would naturally explain it away by saying that there was some unknown defect somewhere and that the matter required a little more careful consideration.

4-30
p. m.

"I am glad to understand that according to an announcement made by the Government recently, the Government seem to have little—shall I say a spark—common-sense from our point of view and after all they think that the whole quantity of cement as required under the old estimate need not be indented for and that 20 per cent of the buildings might be built with surki and we know, Sir, it would mean that it would effect an enormous saving. I think this opinion has been expressed probably as an eyewash simply to avoid the main issue. I would therefore appeal to the hon. the Revenue Member to look into the matter and see whether the risk of the dam being collapsed will not be much greater if small pieces of concrete cement were to be used rather than big boulders in surki.

"The question of cost is a very important one and in that connexion we have to deal with the question of unemployment, both Indian and British. One great evil from my point of view in having only European engineers for this dam has been—of course it is natural that they will naturally have their sympathy for their own kith and kin—and if it is left to myself I too would do the same thing—that we have to spend, not even lakhs, but crores of rupees on machines. And then after importing the machinery naturally these officers will say that people in this country will not be able to handle these machines and therefore they have to import skilled men from England for working these machines. That will be their answer if we ask them as to why they go in for English men for working these machinery and naturally we cannot object to it as once we have this white elephant of the dam we must have its rope also. By way of precautionary measures, therefore, I wish to suggest that Government should not place more orders for machinery than what they have already done. The experience of Bombay Government is staring us in the face. It is only the other day that we were told that the deficit in the Development Department of that province which was once considered to be the most efficient Department in the whole world would be about three crores. What is the magnitude of that loss? Of course that department may have stopped its activities, but consider the loss that it has already sustained. Of course two or three crores is nothing for English people who are dealing in crores but to us whose average income is admitted by the Government to be about Rs. 3 a

15th March 1929] [C. V. Venkataramana Ayyangar]

month it is very great. I would therefore appeal to the hon. the Revenue Member and the Government and the whole Secretariat to view this matter a little more carefully. So long as the machinery that has already been ordered is concerned we cannot help it. Though the hon. the Revenue Member may say that he will not be here and that he cannot therefore take the responsibility for carrying this project out, yet I submit there will be somebody in his stead and they may see that my suggestion is carried out. Otherwise there will be a very heavy loss and Mettur will be another Bombay Development Department, and I am sure the hon. Mr. Marjoribanks when he is sitting leisurely in his home after retirement will be laughing when he knows what took place with regard to Bombay Development Department also has happened with regard to Mettur realizing that my prophecy has after all come to pass. I say that this scheme is going to be a big white elephant. It is not going to cost us anything less than ten crores. From five and a half crores it has already come to seven crores and odd. So I would ask the Secretariat and the Public Works Department to give this matter their very best attention and I would further ask them to be satisfied with the machinery that they have already ordered. They must also see that surki is used instead of cement concrete in buildings where cement is not necessary. If they use this surki it will give the people of our districts some employment. People who have been driven from their homes and lands which they have been occupying for centuries and centuries will have to be given something to live upon and something to work. If that has to be done, as I said already, hand labour should be substituted for machinery wherever it is possible. I am sure that if we are to blame the Government at a future date for importing such large machinery at such a high cost the Member who will be in charge of the department at that time will blame somebody else and the vicious circle will go on like that. Whether the then Government blames 'A', 'B' or 'C' and whether 'A' is responsible or 'B' is responsible or 'C' is responsible for the mistake, we have to pay for the machinery and the blaming of one man or the other will not help us in any way. So under these circumstances I would request the Government not to order for more machinery. There will be some wrong or other in some part of the machinery and they will be asked to order new machinery or at least new parts always. So, I would ask the Government to carefully look into this matter and see that they do not place any more orders for importing machinery from foreign countries hereafter.

"There are some other points to which I should like to refer. One of them is that these experts always condemn the opinion of non-experts. Many of us are engineers ourselves. I have built bungalows myself and I have built an ariy mettur probably on a smaller scale than those built by the Government and probably they may say that inasmuch as I spend my own money on them I would naturally be very careful in spending it. It is better if the hon. the Revenue Member would recommend to the Government to give every member of this House an opportunity to look into this matter—I mean any estimates of expenditure in the construction of buildings, etc., in connexion with the Mettur project—and not to treat us as untouchables. So far as this dam is concerned our humble suggestions may be taken into consideration by the Government with regard to the expenditure on the various items of buildings. Many of us have gone to Mettur itself and we can speak with some authority on these matters. I know for a fact that these highly paid officers are given very big bungalows and money

[Mr. C. V. Venkataramana Ayyangar] [15th March 1929]

is wasted in constructing very big bungalows for them, whereas poorly paid subordinates and menials are given very small buildings. I hope these and other things will be considered by the hon. the Revenue Member, and I appeal to him to make a statement from his place there—because however sympathetic individual officers may be they may not remain in their offices for ever—so that it may be binding on his successor also that the advice of this Council or any committees will be utilized by the Government.

“There are several other local grievances. The people of our districts were told in the beginning that we would be given sites for building our houses and some reserved forests would be disafforested to give us lands for cultivation. That promise yet remains to be fulfilled. I think it is necessary for the hon. the Revenue Member to make a definite statement about all these things. I think there is the Under Secretary of that department who has been serving in the department for a sufficiently long time and it is sufficient if the hon. the Revenue Member calls for all the papers connected with this Mettur project and deal with them. Several memorials have been presented by the people to the Government and if he looks into them he will be able to understand what the real grievances of the people are.

“With these few words I conclude finally by saying that I believe there would be no necessity for pressing this motion. In view of the fact that the hon. the Revenue Member is believed to be sympathetic, I would appeal to him to give us—not in his usual fashion, shall I say, a song-like speech—but some direct promise to help us directly. Even if he does not do it and this House were to pass this cut, I hope he will not throw it into the waste-paper basket. Let it not be said that the last cut which was passed in his time was thrown into the waste-paper basket and no attention to it was paid by him. I appeal to the Government, whether this cut motion is carried or not, to give effect at least to some extent to the policy underlying that cut. It may not be a matter which directly concerns the whole Presidency but as I said, we must view it from one important standpoint. If it is going to be a very costly project, they will have to increase their water-rates and in the absence of an irrigation Act; and it is certainly going to make collections very difficult. A rich friend of mine in Tanjore district once wrote to me that the people of Tanjore district were not going to pay a pie more than the rates they are paying for the benefit which they are going to get. My friend says: ‘if the Government supplies the water to us at about Rs. 7 per acre, we will take it; otherwise let the water go to Bay of Bengal.’ The people of Coimbatore and Salem are refused water and the people of Trichinopoly district also are not going to get it and so the whole water must go to Tanjore or must go to the Bay of Bengal. That is the position. As I have already said, although this matter may not affect the whole Presidency directly yet it concerns the whole Presidency in this way, viz., that if it is going to be a costly white elephant it will prevent other big schemes like the Tungabhadra project being taken up. Therefore, Sir, from that standpoint I would appeal to the hon. Members of this House to consider this question and tell the Government that they will vote for this sum for carrying out this and similar projects provided the Government assure us that they will work such projects profitably and economically.

* “It is from that point of view that I appeal to this House to take a life interest in this matter now and hereafter, to see that this cut motion is passed, to continue to take interest, even after this motion is proposed and in fact to

15th March 1929] [Mr. C. V. Venkataramana Ayyangar]

worry the hon. Revenue Member and not allow him to go on with other things unless and until he does something to ameliorate the difficulties of the poor district of mine and other districts."

Swami A. S. SAHAJANANDAM addressed the Council in Tamil :—

“கனம் தலைவரே, மேட்டூர் அணைக்கட்டினால் பசி தணிந்தவர்களுக்கே மேலும் மேலும் உணவளிப்பதாகிறது. தஞ்சாவூர், திருச்சிராப்பள்ளி ஜில்லாக்களில் ஏற்கனவே தண்ணீர் பாய்ந்து கேஷமமாயிருக்கும் இடங்களுக்கு தண்ணீர் கொடுப்பதைவிட ஷே ஜில்லாக்களில் தண்ணீரில் லாமல் கஷ்டப்படும் இடங்களுக்குத் தண்ணீர் கொடுப்பது மிகவும் அவசியமாகும். தஞ்சாவூர் ஜில்லாவில் சிங்குபட்டி, பாடையபட்டி, கூனம்பட்டி, சொரக்கல்பட்டி, நந்தவனப்பட்டி முதலான இடங்களில் மழை சரியாகப் பெய்யாமல் கடந்த சில வருஷங்களாக தண்ணீர் கிடைக்காமலும் தீர்வை கட்ட முடியாமலும் ஜனங்கள் தவிக்கிறார்கள். ஐயா! ஒரு அணுவிற்கு ஒரு ஏக்கர் வீதமாக சுமார் 500 ஏக்கர் நிலங்களை ஐந்து அணுவிற்கு ஏலம் போட்டிருக்கிறார்கள். இந்தக் கொடுமையை என்னென்று சொல்வது. ஷே இடங்களுக்கு ஒரு விமோசனம் உண்டாகவேண்டும். திருச்சிபிலிருந்து வரும் உய்யக்கொண்டான் வாய்க்கால் வளவந்தான்கோட்டைவரைக்கும் வருகிறது. அங்கிருந்து ஐயம்பட்டி, நந்தவனப்பட்டி, சொரக்கல்பட்டி, கூனம்பட்டி, சிங்குபட்டி, பாடையபட்டி முதலான கிராமங்களுக்கு சிறு வாய்க்கால் உண்டாக்கினால் ஏழைகள் மிழைப்பார்கள். இதுவிஷயத்தில் சிரத்தை எடுத்துக்கொள்ள வேண்டுகிறேன்.”

* Subadar-Major S. A. NANJAPPAH Bahadur :—“ Mr. President, Sir, it is a well-known fact that Salem is a dry country and that water scarcity is always felt there, not only for irrigation purposes but even for drinking purposes. Time and again so many hon. Members have urged its claim on the floor of this House that Salem should be given more irrigation facilities. I myself also urged many a time in this Council that there is not sufficient drinking water for Salem town itself. Certainly, Sir, there is a reservoir in Salem called Panamarattupatti tank. But this tank is not supplying sufficient water. It supplies drinking water only for two or three hours in the day hours. In case the monsoon fails, which is often, this tank dries up and the people have to go for their drinking water far away with vessels in their hands and have to wait there for hours for a pot of water. These difficulties were explained to this House by me in the last budget session. Now Sir, the tank is nearly dry; I think there is about half a foot of water now. It may be said that we in Salem, had good rains this season. There was no proper rain for the Salem town (in the whole of Salem taluk) as usual which did not fill up our dried tanks at all. These difficulties were experienced for the last seven years continually by the people of Salem.

“ When His Excellency the Governor visited Salem on the 5th February 1927, and while I was discussing this subject, with His Excellency, of water scarcity in Salem, His Excellency suggested that water can be got from Yercaud in the Shevaroy hills. I don't think the tank in Yercaud will supply sufficient water at all to Salem town, because the strength of Salem town is over a lakh of people. The tank water from Yercaud will not be sufficient for the Salem town people even for a few months.

[Mr. S. A. Nanjappah Bahadur] [15th March 1929]

"When I visited Mettur last June, I consulted the Engineer-in-Chief there with regard to this matter. He was kind enough to say that we can have drinking water from the reservoir for Salem town. As my hon. Friend from Coimbatore explained, the Government are constructing this big anicut in Mettur at a very high cost for the benefit of the people. May I kindly ask the Government to arrange for Salem getting drinking water from this reservoir and thus relieve the people of Salem from this difficulty which is very long felt? I hope that the Government will consider this question and do the needful for the people of Salem. Otherwise the people have to leave this place and go to other places. Of course, we have got wells in almost every house; but that water is either sour or salty and it is not drinkable. In these circumstances, I hope the Government will see its way to help the people of Salem in this matter.

"I am sorry that the hon. the Minister in charge of the portfolio is not here now. The people of Salem, I believe, have sent a memorial to him regarding this question."

* Mr. J. A. SALDANHA :—"Mr. President, Sir, I shall not reiterate the arguments and points urged by my hon. Friend from Coimbatore. I must strongly endorse all his points with all the vehemence that is necessary for a question of such vital importance. If, in a matter like this, there is not sufficient care and vigilance exercised by the Government, I am sure that we shall be landing ourselves in a financial crisis worse than that of Bombay. I would urge that the commonsense point of view should be respected more by the hon. the Revenue Member and the expert advisers. I know, Sir, that, when the Bombay Government took up that scheme, people with common sense, the papers, public speakers and the press wondered that the Government was allowing things to go on so rapidly to destruction. But that commonsense point of view was not respected by the Government. They allowed things to drift on and they were landed in a terrible financial crisis. When a deputation of this House went to Mettur with Mr. Arogyaswami Mudaliyar—he is quite an expert as any Engineer of the department—we did not ask the Engineers to give us any advice on technical matters. We told them we did not want them. I do not know on what expert or technical advice they ordered for a large number of machinery which would increase the cost of the scheme to several lakhs more, if not, crores. I hope that the points raised by me will be taken into due consideration. I think the whole question hangs, as was done in the Bombay big muddle, on ordering machinery at an enormous cost, and that only from England. Very little machinery has been ordered from other countries. In answer to a question put the other day, reference was made to an answer given to a query which was printed as appendix to the Government Order. I sent a question the other day for further information. I do not know why it has not been answered. I asked that the Government should place on the table of the House the orders sent so far for machinery and those proposed to be sent hereafter and where the machinery was ordered from. The hon. the Revenue member has not replied to that question. I hope that he will give us the information now. It is well known that machinery, especially for irrigation works, can be got very cheaply in Germany and America. It is also well known that, for hydro-electric works and irrigation works, German machines are better, more efficient and cheaper. Those machines were not ordered for. They say that all this machinery has to be got through the High Commissioner in England and that he must be advertising for the

15th March 1929]

[Mr. J. A. Saldanha]

best machinery in the world. That is the excuse that is given, for ordering, in such haste, all the machinery from England alone and not from other countries where it can be got cheapest and best.

"I have proposed, Sir, that the Council should be taken into confidence and that all the hon. Members should be permitted to visit Mettur. The Bombay Government took the Members of the Council to a distance of 600 miles to Sukkur. I do not know the reason why the Government of Madras should not invite all the Members here to go to Mettur and see for themselves what is being done there. I think, Sir, that at least a committee should be elected by this House and that they should go to Mettur. The committee need not consist of the old members. New members can go there now in turn. Not 12 members only but 25 members of the Council, if not the whole House, should have the satisfaction of seeing and mastering all the details of the scheme and they should record their commonsense opinion and give their advice, which should be accepted and followed. It is respected in other provinces; it ought to be respected in this province also."

* Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, in supporting this motion, I am glad to note that my hon. Friend, Mr. Venkataramana Ayyangar, has drawn attention to certain details and criticisms which are found also in the report, which was submitted by the Mettur Committee, appointed to investigate this question along with its recommendations to the Government. I am glad also to note that he has been consistently advocating the claims not only of his own district, but also of the districts of Salem and Trichinopoly. I have the privilege of representing more than one district.

"There is one point—that which takes for granted the prosperity of Tanjore district—on which I should like to enlighten my hon. Friends. They think that Tanjore is going to derive all benefits from this Mettur project. There is no doubt a great deal of truth in this assumption. But at the same time I think the Government are bound to do something for the mirasidars of the Tanjore district, who pay the highest kist, especially for this reason, that compared with other districts, say, for instance, Trichinopoly, Tanjore, very often suffers from irregular water-supply. The notorious fact is that even before the 1st of September, we have the system of *murai* introduced in consequence of which we have water in the Vennar for one week and water in the Cauvery for another week. During the interval of this one week when there is no water in either river, lands both on the Vennar side and on the Cauvery side dry up. In consequence of this *murai* system, in consequence of the periodical drying up of lands in Tanjore, especially in the first few days after transplantation the yield is very poor, far from satisfactory. I was surprised to hear that even in Shiyali and Mayavaram which are supposed to be the richest taluks, the average yield is 5 kalams for a man which is not even one-half, or one-third or one-fourth of the yield in Trichinopoly. Therefore, if this Cauvery-Mettur project would assure the mirasidars of Tanjore a steady regular supply of water, if it would dispense with this terrible *murai* system, and also assure the lands on the lower reaches of the Cauvery a regular supply, if this benefit alone would accrue from this Mettur project, all the mirasidars of Tanjore will have reason to be eternally grateful to this Government."

* The hon. the PRESIDENT :—"The hon. Member will continue his speech to-morrow. The Council will now adjourn and re-assemble to-morrow at 11 a.m."

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.